

# FEDERAL REGISTER

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## TITLE 3—THE PRESIDENT

### PROCLAMATION 2865

SUPPLEMENTING THE PROCLAMATIONS OF DECEMBER 16, 1947, AND JANUARY 1, 1948, CARRYING OUT THE GENERAL AGREEMENT ON TARIFFS AND TRADE AND THE EXCLUSIVE TRADE AGREEMENT WITH CUBA, RESPECTIVELY, AND TERMINATING IN PART THE PROCLAMATION OF JANUARY 30, 1948

BY THE PRESIDENT OF THE UNITED STATES  
OF AMERICA  
A PROCLAMATION

1. WHEREAS, pursuant to the authority vested in the President by the Constitution and the statutes, including section 350 of the Tariff Act of 1930, as amended by section 1 of the act of June 12, 1934, by the joint resolution approved June 7, 1943, and by sections 2 and 3 of the act of July 5, 1945 (ch. 474, 48 Stat. 943, ch. 118, 57 Stat. 125, ch. 269, 59 Stat. 410 and 411; 19 U. S. C. 1351), the period for the exercise of the said authority under section 350 having been extended by section 1 of the said act of July 5, 1945 (ch. 269, 59 Stat. 410), until the expiration of three years from June 12, 1945, on October 30, 1947, the President entered into a trade agreement with the Governments of the Commonwealth of Australia, the Kingdom of Belgium, the United States of Brazil, Burma, Canada, Ceylon, the Republic of Chile, the Republic of China, the Republic of Cuba, the Czechoslovak Republic, the French Republic, India, Lebanon, the Grand Duchy of Luxemburg, the Kingdom of the Netherlands, New Zealand, the Kingdom of Norway, Pakistan, Southern Rhodesia, Syria, the Union of South Africa, and the United Kingdom of Great Britain and Northern Ireland, which trade agreement consists of the General Agreement on Tariffs and Trade and the related Protocol of Provisional Application thereof, together with the Final Act Adopted at the Conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, which authenticated the texts of the said general agreement and the said protocol (Treaties and Other International Acts Series 1700);

2. WHEREAS by Proclamation No. 2761A of December 16, 1947 (3 CFR., 1947 Supp., p. 71), the President pro-

claimed such modifications of existing duties and the other import restrictions of the United States of America and such continuance of existing customs or excise treatment of articles imported into the United States of America as were then found to be required or appropriate to carry out the said trade agreement on and after January 1, 1948, which proclamation has been supplemented by Proclamation No. 2769 of January 30, 1948 (3 CFR., 1948 Supp., p. 21), Proclamation No. 2782 of April 22, 1948 (3 CFR., 1948 Supp., p. 34), Proclamation No. 2784 of May 4, 1948 (3 CFR., 1948 Supp., p. 38), Proclamation No. 2790 of June 11, 1948 (3 CFR., 1948 Supp., p. 46), (supplemented by Proclamation No. 2809 of September 7, 1948 (3 CFR., 1948 Supp., p. 75)), Proclamation No. 2791 of June 12, 1948 (3 CFR., 1948 Supp., p. 49), Proclamation No. 2792 of June 25, 1948 (3 CFR., 1948 Supp., p. 50), Proclamation No. 2798 of July 15, 1948 (3 CFR., 1948 Supp., p. 55), and Proclamation No. 2829 of March 8, 1949 (14 F. R. 49);

3. WHEREAS, pursuant to the authority vested in the President by the Constitution and the statutes, including the said section 350, the period for the exercise of the said authority under such section having been so extended, on October 30, 1947, the President entered into an exclusive trade agreement with the Government of the Republic of Cuba (Treaties and International Acts Series 1703), which exclusive trade agreement includes certain portions of other documents made a part thereof and provides for the customs treatment in respect of ordinary customs duties of products of the Republic of Cuba imported into the United States of America;

4. WHEREAS by Proclamation No. 2764 of January 1, 1948 (3 CFR., 1948 Supp., p. 11), the President proclaimed such modifications of existing duties and other import restrictions of the United States of America in respect of products of the Republic of Cuba and such continuance of existing customs and excise treatment of products of the Republic of Cuba imported into the United States of America as were then found to be required or appropriate to carry out the said exclusive trade agreement on and after January 1, 1948, which proclama-

(Continued on next page)

## CONTENTS

### THE PRESIDENT

Proclamation	Page
Supplementing Proclamations of Dec. 16, 1947, and Jan. 1, 1948, carrying out general agreement on tariffs and trade and exclusive trade agreement with Cuba, respectively, and terminating in part Proclamation of Jan. 30, 1948.....	7303

### EXECUTIVE AGENCIES

#### Agriculture Department

See Commodity Credit Corporation; Entomology and Plant Quarantine Bureau; Production and Marketing Administration.

#### Air Force Department

Rules and regulations:

Aid of civil authorities and public relations:	
Relations with agencies of public contact.....	7315
Safeguarding military information.....	7315
Reserve forces; retirement of Air Force Reserve personnel.....	7316

#### Alien Property, Office of

Notices:

Vesting orders, etc.:	
Bertele, Josef, et al.....	7326
Deutsche-Asiatische Bank.....	7326
Trautmann, Matthias.....	7325
Yajima, Florence, and Tokusure Yajima.....	7325

#### Army Department

Rules and regulations:

Aid of civil authorities and public relations; safeguarding military information.....	7312
---	------

#### Civil Aeronautics Administration

Rules and regulations:

Air traffic rules; danger area alterations; correction.....	7308
---	------

#### Civil Aeronautics Board

See Civil Aeronautics Administration.

#### Commerce Department

See Civil Aeronautics Administration; International Trade, Office of.



# FEDERAL REGISTER

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## CONTENTS—Continued

<b>Commodity Credit Corporation</b>	Page
Rules and regulations:	
Loan programs:	
Crop distress, 1949	7306
Tobacco, 1949	7306
<b>Defense Department</b>	
See Air Force Department; Army Department.	
<b>Entomology and Plant Quarantine Bureau</b>	
Rules and regulations:	
Plant quarantine notices; Puerto Rican fruits and vegetables	7307
<b>Federal Communications Commission</b>	
Notices:	
Hearings, etc.:	
Blue Bonnet Broadcasting Corp. (KCNC) and James H. Sligar	7320

## CONTENTS—Continued

<b>Federal Communications Commission—Continued</b>	Page
Notices—Continued	
Hearings, etc.—Continued	
Connecticut Electronics Corp. et al.	7320
Cox, Houston, Jr., et al.	7320
KOOS, Inc., et al.	7320
Northern Corp. et al.	7319
<b>Federal Power Commission</b>	
Notices:	
Hearings, etc.:	
Central Hudson Gas & Electric Corp.	7321
Home Gas Co.	7321
<b>Fish and Wildlife Service</b>	
Rules and regulations:	
Ninepipe and Pablo National Wildlife Refuges, Montana; fishing	7318
<b>Foreign and Domestic Commerce Bureau</b>	
See International Trade, Office of.	
<b>Housing and Home Finance Agency</b>	
Notices:	
Organization description, including delegations of final authority	7321
<b>Interior Department</b>	
See Fish and Wildlife Service; Land Management, Bureau of.	
<b>International Trade, Office of</b>	
Rules and regulations:	
Export regulations:	
General licenses; technical data GTD	7308
Positive list of commodities and related matters; miscellaneous amendments	7309
<b>Interstate Commerce Commission</b>	
Notices:	
Applications for relief:	
Hypochlorite solution of sodium from Chicago to Cedar Rapids, Iowa	7321
Kyanite from Clover, S. C., to Lansdale, Pa.	7322
Sulphuric acid from Pelham, Ga., to South	7321
<b>Justice Department</b>	
See Alien Property, Office of.	
<b>Land Management, Bureau of</b>	
Notices:	
Establishment of reserve for native inhabitants:	
Barrow, Alaska	7318
Shungnak and Kobuk, Alaska, and vicinity	7319
Reservation designated for Indians of Hyadaburg, Alaska	7318
<b>Maritime Commission</b>	
Notices:	
Pacific/West Coast of South America Conference et al.; notice of agreements filed for approval	7325
<b>Production and Marketing Administration</b>	
Rules and regulations:	
Fruits and vegetables, processed; miscellaneous amendments	7306
Potatoes, Irish, in Washington	7307

## CONTENTS—Continued

<b>Securities and Exchange Commission</b>	Page
Notices:	
Hearings, etc.:	
Attleboro Steam and Electric Co. et al.	7323
Columbia Gas System, Inc., and Cumberland and Allegheny Gas Co.	7323
National Gas & Electric Corp. et al.	7322
New England Public Service Co.	7324
State of San Paulo	7322

## CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

<b>Title 3</b>	Page
Chapter I (Proclamations):	
2761A (see Proc. 2865)	7303
2764 (see Proc. 2865)	7303
2769 (see Proc. 2865)	7303
2865	7303
<b>Title 6</b>	
Chapter IV:	
Part 664	7306
Part 673	7306
<b>Title 7</b>	
Chapter I:	
Part 52	7306
Chapter III:	
Part 301	7307
Chapter IX:	
Part 992	7307
<b>Title 14</b>	
Chapter I:	
Part 60	7308
<b>Title 15</b>	
Chapter III:	
Part 371	7308
Part 399	7309
<b>Title 32</b>	
Chapter V:	
Part 505	7312
Chapter VII:	
Part 804	7315
Part 805	7315
Part 865	7316
<b>Title 50</b>	
Chapter I:	
Part 31	7318

tion has been supplemented by the said Proclamations of January 30, 1948, April 22, 1948, May 4, 1948, June 11, 1948, June 25, 1948, July 15, 1948, and March 8, 1949;

5. WHEREAS section 6 of the Trade Agreements Extension Act of 1949 (Public Law 307, 81st Congress) provides as follows:

Sec. 6. Section 350 (b) of the Tariff Act of 1930, as amended (U. S. Code, 1946, title 19, sec. 1351 (b)), is amended by changing the colon to a period, by deleting the proviso, and by adding the following: "Nothing in this Act shall be construed to preclude the application to any product of Cuba (including products preferentially free of duty) of a rate of duty not higher than the rate applicable to the like products of other foreign countries (except the Philippines),



whether or not the application of such rate involves any preferential customs treatment. No rate of duty on products of Cuba shall in any case be decreased by more than 50 per centum of the rate of duty, however established, existing on January 1, 1945 (even though temporarily suspended by Act of Congress).";

6. WHEREAS I determine that, in view of the legislative provisions set forth in the fifth recital of this proclamation, the deletion of the remaining items from the list set forth in the eighth recital of the said proclamation of January 1, 1948, as amended and rectified (including those items added thereto by subdivision (a) of Part II of the said proclamation of January 30, 1948, and by subdivision (a) of Part II of the said proclamation of June 25, 1948, and including item 1529 (a) as modified by subdivision (a) of Part II of the said proclamation of May 4, 1948), is required or appropriate to carry out the trade agreement specified in the first recital of this proclamation and the exclusive trade agreement specified in the third recital of this proclamation on and after the thirtieth day following the date of this proclamation;

7. WHEREAS I determine that, in view of the determination set forth in the sixth recital of this proclamation, the deletion from the list set forth in the seventh recital of the said proclamation of January 30, 1948, of the item 718 (a) which was added thereto by subdivision (b) of Part I of the said proclamation of June 25, 1948, is required or appropriate to carry out the said trade agreement specified in the first recital of this proclamation on and after the thirtieth day following the date of this proclamation;

8. WHEREAS, in view of the determination set forth in the sixth recital of this proclamation, the continuance of item 211, item 226, item 368 (c) (6), item 806 (a), the remaining item 1527 (c) (2), and item 1544 in the seventh recital of the said proclamation of January 30, 1948, will, on and after the thirtieth day following the date of this proclamation, no longer be required or appropriate to carry out the trade agreement specified in the first recital of this proclamation;

9. WHEREAS I determine that in view of the determinations set forth in the sixth and eighth recitals of this proclamation the addition of the following item to the list set forth in the ninth recital of the said proclamation of January 1, 1948, as amended and rectified, is required or appropriate to carry out, on and after the thirtieth day following the date of this proclamation, the said ex-

clusive trade agreement specified in the third recital of this proclamation:

1544 Rosaries, chaplets, and 44% ad val. similar articles of religious devotion, if made in whole or in part of gold, silver, platinum, gold plate, silver plate, or precious or imitation precious stones.

10. WHEREAS item 708 (a) in Part I of Schedule XX in the Second Protocol of Rectifications to the General Agreement on Tariffs and Trade, of September 14, 1948, a copy of which is annexed to the said proclamation of March 8, 1949, was inadvertently misstated in some respects, and I determine that it is required or appropriate to carry out the said trade agreement specified in the first recital of this proclamation that said item 708 (a) be changed to:

Item 708 (a)

In the English text of item 708 (a) the principal description shall be:  
Milk, condensed or evaporated;

11. AND WHEREAS the final sentence of subsection (a) of the said section 350, as amended, authorizes the President to terminate in whole or in part any proclamation carrying out a trade agreement entered into under such section:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, acting under and by virtue of the authority vested in me by the Constitution and the statutes, including the said section 350 of the Tariff Act of 1930, as amended, do proclaim as follows:

#### PART I

To the end that the said trade agreement specified in the first recital of this proclamation may be carried out:

(a) Effective on the thirtieth day following the date of this proclamation, item 718 (a) which was added to the list set forth in the seventh recital of the said proclamation of January 30, 1948, by subdivision (b) of Part I of the said proclamation of June 25, 1948, shall be deleted from such list, and on and after the thirtieth day following the date of this proclamation the rate of duty representing each concession provided for in the second item 718 (a) in Part I of Schedule XX of the said general agreement shall be applied subject to the applicable terms, conditions, and qualifications set forth in Schedule XX and Parts I, II, and III of the said general agreement, and in subdivision (a), other than exception (I) thereof, of the said proclamation of December 16, 1947, in-

cluding any amendments and rectifications of the said general agreement and the said proclamation which have been proclaimed by the President, to articles of a kind provided for in the description of products in the column at the left of the said rate.

(b) Item 708 (a) in Part I of Schedule XX in the copy of the said protocol specified in the tenth recital of this proclamation shall be rectified in the manner set forth in such recital.

#### PART II

To the end that the said trade agreement specified in the first recital of this proclamation and the said exclusive trade agreement specified in the third recital of this proclamation may be carried out, the list set forth in the eighth recital of the said proclamation of January 1, 1948, as amended, shall on and after the thirtieth day following the date of this proclamation be further amended in the manner indicated in the sixth recital of this proclamation.

#### PART III

To the end that the said trade agreement specified in the third recital of this proclamation may be carried out, the list set forth in the ninth recital of the said proclamation of January 1, 1948, as amended, shall on and after the thirtieth day following the date of this proclamation be further amended in the manner indicated in the ninth recital of this proclamation.

#### PART IV

The said proclamation of January 30, 1948, so far as it relates to the items in the list set forth in the seventh recital thereof which are specified in the eighth recital of this proclamation, shall not be in effect after the twenty-ninth day following the date of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 30th day of November in the year of our Lord nineteen hundred and [SEAL] forty-nine, and of the Independence of the United States of America the one hundred and seventy-fourth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,  
Secretary of State.

[F. R. Doc. 49-9825; Filed, Dec. 5, 1949; 4:43 p. m.]



# **RULES AND REGULATIONS**

## **TITLE 6—AGRICULTURAL CREDIT**

### **Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture**

#### **Subchapter C—Loans, Purchases, and Other Operations**

#### **PART 664—TOBACCO**

#### **SUBPART—1949 TOBACCO LOAN PROGRAM**

Set forth below are schedules of advance rates, by grades, for the 1949 crop of types 54 and 55 tobacco under the tobacco loan program formulated by Commodity Credit Corporation and Production and Marketing Administration, published July 7, 1949 (14 F. R. 3732).

#### **§ 664.24 1949 Crop, Wisconsin Tobacco, Type 54, Advance Schedule.<sup>1</sup>**

[Dollars per hundred pounds, farm sales weight]

Grade:	Advance rate
Binders:	
B1M	49
B2M	45
B3M	41
B4M	37
B5M	34
B6M	32
B7M	30
Binder pickers:	
R1	26
R2	24
R3	23
Strippers:	
C1	22
C2	20
C3	18
Crop-run:	
X1	21
X2	18
X3	16
X4	13
X5	11
Farm fillers:	
Y1	16
Y2	14
Y3	10

#### **§ 664.25 1949 Crop, Wisconsin Tobacco, Type 55, Advance Schedule.<sup>1</sup>**

[Dollars per hundred pounds, farm sales weight]

Grade:	Advance rate
Binders:	
B1M	52
B2M	48
B3M	44
B4M	40
B5M	37
B6M	34
B7M	31
Binder pickers:	
R1	27
R2	25
R3	23
Strippers:	
C1	22
C2	19
C3	17

<sup>1</sup> Tobacco can be placed under loan only by the original producer. Tobacco graded "W" (wet), "U" (unsound), "G" (green), or "N" (nondescript) will not be accepted.

[Dollars per hundred pounds, farm sales weight]

Grade—Continued	Advance rate
Crop-run:	
X1	20
X2	17
X3	15
X4	12
X5	10
Farm fillers:	
Y1	15
Y2	13
Y3	9

(Sec. 4 (d), Pub. Law 806, 80th Cong. Interpret or apply secs. 4 (g), (l), 5 (a), Pub. Law 806, 80th Cong. sec. 1, Pub. Law 897, 80th Cong.)

Issued this 2d day of December 1949.

[SEAL]

HAROLD K. HILL,  
Acting Vice-President,  
Commodity Credit Corp.

Approved:

F. K. WOOLLEY,  
Acting President,  
Commodity Credit Corporation.

[F. R. Doc. 49-9791; Filed, Dec. 6, 1949; 8:57 a. m.]

[1949 C. C. Distress Loan Program Bulletin 1, Amdt. 1]

#### **PART 673—SPECIAL PRICE SUPPORT PROGRAMS**

#### **SUBPART—1949 CROP DISTRESS LOAN PROGRAM**

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration published in 14 F. R. 5857 governing the making of distress loans is hereby amended by changing § 673.102 *Availability of loans*, paragraph (a) *Area and commodities*, to read as follows:

§ 673.102 *Availability of loans—(a) Area and commodities.* Distress loans will be made on such grains and in such areas as may be designated by the President, CCC, on the basis of the recommendations of State PMA committees. The following areas and grains have been designated by the President, CCC, as distress loan areas and grains upon which distress loans may be made: Iowa, small grain; Utah, small grain; Tennessee, wheat, oats, barley, rye; California, barley and wheat; Kansas, wheat; New Mexico, wheat; Oklahoma, wheat; Texas, wheat; Michigan, small grain.

(Secs. 4 (d), (g), (l), Pub. Law 806, 80th Cong., 62 Stat. 1072)

Issued this 2d day of December 1949.

[SEAL]

ELMER F. KRUSE,  
Vice President,  
Commodity Credit Corporation.

FRANK K. WOOLLEY,  
Acting President,  
Commodity Credit Corporation.

[F. R. Doc. 49-9790; Filed, Dec. 6, 1949; 8:57 a. m.]

## **TITLE 7—AGRICULTURE**

### **Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture**

#### **PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS<sup>1</sup>**

#### **MISCELLANEOUS AMENDMENTS**

The following amendments to the revised regulations (7 CFR, Part 52) applicable to processed fruits and vegetables, processed products thereof, and certain other processed food products are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1950 (Pub. Law 146, 81st Cong., approved June 29, 1949).

A. The provisions in paragraph (a) of § 52.3 *Terms defined* are amended to read as follows:

(a) "Act" means the following provisions of the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and of the Department of Agriculture Appropriation Act, 1950 (Pub. Law 146, 81st Cong., approved June 29, 1949), or any other act of Congress conferring similar authority:

#### **AGRICULTURAL MARKETING ACT OF 1946**

\* \* \* To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce, under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, except that no person shall be required to use the service authorized by this subsection. \* \* \*

#### **DEPARTMENT OF AGRICULTURE APPROPRIATION ACT, 1950**

*Market inspection of farm products:* For the investigation and certification, in one or more jurisdictions, to shippers and other interested parties of the class, quality, and condition of any agricultural commodity or food product, whether raw, dried, canned, or otherwise processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including payment of such fees as

<sup>1</sup> Among such other processed food products are the following: Honey; Molasses, except for stock feed; Nuts and nut products, except oil; Sugar (Cane, Beet, and Maple); Sirups (blended), Sirups, except from grain; Marine food products, except oil.



will be reasonable and as nearly as may be to cover the cost for the services rendered. \* \* \*

**Marketing farm products.** For acquiring and diffusing among the people of the United States useful information relative to the needed supplies, standardization, classification, grading, preparation for market, handling, transportation, storage, and marketing of farm and food products, including the demonstration and promotion of the use of uniform standards of classification of American farm and food products throughout the world. \* \* \*

**B. The provisions in § 52.6 are amended to read as follows:**

**§ 52.6 How to make application.** An application for inspection service may be made to the office of inspection or to any inspector, at or nearest the place where the service is desired; and an up-to-date list of the Standardization and Inspection Field Offices of the Department may be obtained upon request to the Administrator. Satisfactory proof that the applicant is an interested party, and satisfactory proof of the authority of any person applying for inspection service, shall be furnished.

**C. The provisions in § 52.42 (b) (1) Canned fruits and vegetables and canned fruit and vegetable products and other canned processed products, such as peanut butter, pickles, relishes, jams, jellies, marmalades, honey, maple sirup, and concentrates, are amended to read as follows:**

#### Officially Drawn Samples

Each lot other than of canned pineapple and canned pineapple juice inspected in Puerto Rico: <sup>1</sup>	
Minimum fee for 600 cases or less.....	\$5.00
For each additional 200 cases, or fraction thereof, in excess of 600 cases.....	1.40
Each lot of canned pineapple and canned pineapple juice inspected in Puerto Rico:	
The fee for each case of 24 containers or less.....	.015
The fee for each case of more than 24 containers.....	.020
Minimum fee for any lot.....	6.00

#### Unofficially Drawn Samples

Minimum fee.....	2.00
For more than 4 containers of any type of a volume capacity not in excess of that of a No. 3 size can (404 x 414), per container.....	.50
For more than 2 containers of any type of a volume capacity exceeding that of a No. 3 size can (404 x 414) but not exceeding that of a No. 12 size (608 x 812), per container.....	1.00

<sup>1</sup> Inspection of large quantities other than of canned pineapple and canned pineapple juice inspected in Puerto Rico: When application is made for inspection of 20,000 cases or more of a single commodity of canned fruits and vegetables and canned fruit and vegetable products in containers of any type of a volume capacity not exceeding that of a No. 12 size (603 x 812) the fee shall be at the rate of \$1.20 for each 200 cases or fraction thereof: *Provided*, That, the commodity is available for inspection at any one place at any one time.

The foregoing amendments to the revised regulations shall become effective upon publication in the **FEDERAL REGISTER**.

For the reasons hereinafter set forth, it is hereby found and determined that it is impractical and contrary to the public interest to give preliminary notice and engage in public rule making procedure and that good cause exists for not postponing the effective time hereof until 30 days after publication in the **FEDERAL REGISTER** (60 Stat. 237; 5 U. S. C. 1001 et seq.). The fees to be charged for the service are required by the statutes authorizing the service to be "reasonable and as nearly as may be to cover the cost of the service rendered." The determination of such cost depends upon facts wholly within the knowledge of the United States Department of Agriculture.

It has been determined that the fees prescribed herein must be charged in order to cover the cost of the service to be rendered, and such fees are reasonable.

It is in the public interest to enable all interested parties to avail themselves of the service without delay, and that the benefits to be derived should be provided as soon as practicable.

In view of these considerations and the fact that products are now being packed on which inspection is desired, it is hereby found that good cause exists for making the foregoing amendments effective less than 30 days after publication in the **FEDERAL REGISTER**.

(Sec. 203, 60 Stat. 1087; 7 U. S. C. 1622 (h))

Issued at Washington, D. C., this 2d day of December 1949.

[SEAL] A. J. LOVELAND,  
Acting Secretary of Agriculture.

[F. R. Doc. 49-9793; Filed, Dec. 6, 1949; 8:59 a. m.]

### Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### PUERTO RICAN FRUITS AND VEGETABLES

On October 18, 1949, notice of a proposed revocation of § 301.58-12 of the regulations supplemental to the quarantine relating to Puerto Rican fruits and vegetables (7 CFR 301.58-1 et seq.), and of a proposed amendment of § 301.58-11 of the said regulations was published in the **FEDERAL REGISTER** (14 F. R. 6335). After due consideration of all relevant matters presented, including the proposals set forth in the notice, the Secretary of Agriculture, pursuant to the authority conferred upon him by section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), hereby revokes § 301.58-12 of the regulations supplemental to the quarantine relating to Puerto Rican fruits and vegetables (7 CFR 301.58-1 et seq.), and hereby amends § 301.58-11 of the said regulations to read as follows:

**§ 301.58-11 Inspection of baggage.** Inspectors are authorized to ascertain by inspection whether any of the fruits or vegetables covered by § 301.58 are contained in the baggage or other personal belongings of passengers and members of

the crew on ships, vessels, or aircraft plying between Puerto Rico and any other State, Territory, or District of the United States, in order to determine whether the same are infested with injurious insects, and in the case of infested or unauthorized products to require such safeguarding, treatment, or destruction as in the judgment of the inspector may be necessary. For the purpose of such inspection an inspector is authorized to open any box, bale, crate, bundle, or other package, including trunks, which may contain or be liable to contain any of the fruits or vegetables covered by § 301.58. Such baggage inspection shall, at the discretion of the inspector, be made either at the port of departure in Puerto Rico or at the port of debarkation within any State, Territory, or District of the United States other than Puerto Rico, and no such baggage or personal belongings of passengers or crew shall be removed from such dock, airport, or landing field until the same have been inspected and passed by an inspector.

Revocation of § 301.58-12 eliminates the requirement that a baggage declaration be executed and signed by each passenger arriving from Puerto Rico via ship, vessel, or aircraft. As amended, § 301.58-11 provides a means of inspecting baggage of steamship passengers alternative to the previous requirement that such baggage be inspected at the port of debarkation within any State, Territory, or District other than Puerto Rico, in that it allows inspection of such baggage at the port of departure in Puerto Rico.

Since these amendments relieve restrictions of the existing regulations, they are within the exception in section 4 (c) of the Administrative Procedure Act (5 U. S. C. 1003 (c)) and may properly be made effective less than 30 days after their publication in the **FEDERAL REGISTER**.

These amendments shall be effective on and after December 7, 1949.

(Secs. 1, 3, 33 Stat. 1269, 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 141, 143, 162. Interpret or apply sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 2d day of December 1949.

[SEAL] A. J. LOVELAND,  
Acting Secretary of Agriculture.

[F. R. Doc. 49-9792; Filed, Dec. 6, 1949; 8:58 a. m.]

### Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

#### PART 992—HANDLING OF IRISH POTATOES GROWN IN WASHINGTON

##### APPROVAL OF BUDGET OF EXPENSES AND FIXING RATE OF ASSESSMENT

Notice of proposed rule making regarding rules and regulations relative to a proposed budget and rate of assessment, to be made effective under Marketing Agreement No. 113 and Order No. 92 (14 F. R. 5860), regulating the handling of Irish potatoes grown in the State



of Washington, was published in the *FEDERAL REGISTER* (14 F. R. 6858). This regulatory program is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the rules and regulations set forth in the aforesaid notice, which rules and regulations were adopted and submitted for approval by the State of Washington Potato Committee (established pursuant to said agreement and order), the following rules and regulations are hereby approved.

§ 992.201 *Budget of expenses and rate of assessment*—(a) *Findings*. It is hereby found that it is impracticable and contrary to the public interest to give 30 days notice of the effective date of this order in that: (1) Shipments of potatoes from the production area are now being made and have been taking place since the beginning of harvest for the 1949 crop year; (2) assessments under the order apply to all shipments during the crop year; (3) notice has been given of the proposed rate of assessment by publication thereof as required by law (14 F. R. 6858) and, in addition, the State of Washington Potato Committee has given specific notice to handlers; and (4) the assessment rate should be approved upon publication hereof in order to effectuate the declared policy of the act.

(b) *Order*. (1) The expenses necessary to be incurred by the State of Washington Potato Committee, established pursuant to Marketing Agreement No. 113 and Order No. 92, to enable such committee to perform its functions, pursuant to provisions of the aforesaid marketing agreement and order, during the fiscal period ending May 31, 1950, will amount to \$6,250.

(2) The rate of assessment to be paid by each handler who first ships potatoes shall be one-half cent per hundredweight of potatoes handled by him as the first handler thereof during said fiscal year; and

(3) Terms used in this section shall have the same meaning as when used in Marketing Agreement No. 113 and Order No. 92.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Supp., 608c)

Done at Washington, D. C., this 2d day of December 1949 to be effective upon publication hereof in the *FEDERAL REGISTER*.

[SEAL]

A. J. LOVELAND,  
Acting Secretary of Agriculture.

[F. R. Doc. 49-9794; Filed, Dec. 6, 1949;  
9:00 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

#### Subchapter A—Civil Air Regulations

[Supp. 7, Amdt. 18]

#### PART 60—AIR TRAFFIC RULES

##### DANGER AREA ALTERATIONS

##### Correction

The correction appearing on 14 F. R. 7269 should read as follows:

In F. R. Document 49-9555, appearing in the issue for Wednesday, November 30, 1949, on page 7198, change the next to the last line in column 2, to read as follows: "45°50'08" N.; due E. to lat. 45°50'08" N., long. 119°37'26" W., point".

## TITLE 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

#### Subchapter C—Office of International Trade

[4th Gen. Rev. of Export Regs., Amdt. 59]

#### PART 371—GENERAL LICENSES

##### TECHNICAL DATA

Section 371.24 *Technical data TD-US and TD-GEN* is amended to read as follows:

§ 371.24 *Technical data GTD*—(a) *Definition of technical data*. Technical data is hereby defined as any professional, scientific, or technical information, including any model, design, photograph, photographic negative, document, or commodity, containing a plan, specification, or descriptive or technical information of any kind which can be used or adapted for use in connection with any process, synthesis, or operation in the production, manufacture, reconstruction, servicing, repair, or use of any commodity.

(b) *Security provisions for certain types of technical data*—(1) *Scope*. Technical data in connection with:

- (i) Advanced developments, technology, information, and "know-how",
- (ii) Prototypes,
- (iii) Special installations, and
- (iv) Those items listed in Proclamation 2776<sup>1</sup> which do not have a security classification,

whenever they have significance to the common security and defense, are included in the scope of the security provisions for technical data.

NOTE: Advertising catalogs or pamphlets, assembly and operating directions, or other technical information generally available to the trade, users of equipment, or to the public, are not included in the scope of the security provisions for technical data. Also excluded are technical data which are not classified by the U. S. Government and which will be used purely for educational or scientific research.

(2) *Substance*. Before completing arrangements to export or release for foreign use any technical data included in the scope of the security provisions, exporters should request an official opinion from the U. S. Government through the Office of International Trade as to the desirability of exporting or releasing the technical data.

##### NOTE

1. *Presentation of requests*. All requests for an official opinion of the U. S. Government should be submitted by letter, in duplicate, to the Office of International Trade, Department of Commerce, Washington 25, D. C. (Ref: Technical Data, IT-1340).

<sup>1</sup> 3 CFR, 1948 Supp.

In addition, those who wish to discuss a problem personally will readily be given specific appointments.

2. *Information to be furnished*. Requests should include as much information as possible regarding the technical data which it is proposed to export or furnish for export. As a minimum, the following questions should be answered:

(1) To whom in the U. S. and/or in the foreign country is the technical information to be furnished?

(2) What is the name of the country in which the technical information will be used?

(3) For what purpose will the technical information be used?

(4) What is the subject matter of the technical information to be furnished?

(5) Is the technical data classified by an agency of the U. S. Government?

(6) How will the information be furnished? (i. e. blueprints? specifications? training in the U. S. of foreign specialists? personal services by engineers and specialists sent abroad?)

(7) For how long a period will technical information be furnished under a contract or agreement?

3. *Confidential nature of information*. All information submitted in the requests will be treated in confidence in order not to disturb competitive relationships.

4. *Acknowledgements and replies*. All requests for opinions will be acknowledged upon receipt. Immediately, the Office of International Trade will consult with interested departments and agencies of the U. S. Government. Consistent with that obligation, a full reply to each request will be forwarded promptly, so that negotiations with foreign users of the technical data will not be delayed.

5. *Limitation regarding opinions*. The official opinion which will be furnished by the U. S. Government through the Office of International Trade is purely advisory; it constitutes no commitment on the part of the U. S. Government to issue an export license should an emergency or other circumstances develop which make it essential that the export of certain technical information be subjected to export license requirements.

(c) *Authorization and use of general license GTD*—(1) *Authorization*. A general license designated GTD is hereby established authorizing the exportation of technical data to any destination: *Provided*, (i) That no officer or agency of the United States Government has assigned to it a security classification (e. g., "restricted", "confidential", "secret", etc.) or (ii) That if such classification exists the exporter has obtained duly authorized permission in writing from the agency of the U. S. Government which assigned the security classification.

(2) *Designation on wrapper*. Any person exporting under this general license shall mark conspicuously on the envelope or outside wrapper "General License GTD".

(3) *Prohibited exportations*. No exportation may be made under general license GTD of classified technical data with the knowledge or intention that the technical data so exported are to be re-exported from the country of destination to which permission was granted.

##### NOTE

#### EXPORT OF PATENT APPLICATIONS AND AMENDMENTS

1. *Inventions made in foreign country*. Technical data contained in papers relating to patent applications based on inventions



made in a foreign country which are to be exported for informational purposes or for the purpose of filing in a foreign country may, if otherwise qualified, be exported under general license GTD.

2. *Inventions made in U. S.* Patent applications based on inventions made in the United States, amendments thereto, or other papers relating thereto, which are to be exported for the purpose of filing in a foreign country or which may become the basis of an application or an amendment to an application already filed in a foreign country, are subject to regulations of the Commissioner of Patents, and, after permission is obtained from the Commissioner of Patents, are exportable under general license GTD.

3. Applications for licenses to export patent applications and amendments thereto should be submitted to the Commissioner of Patents, Department of Commerce, Washington 25, D. C. Patent attorneys and others who contemplate exporting technical data pertaining to patent applications, amendments, or information for use in the prosecution thereof, or applications for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, should direct their inquiries regarding such exportations to the Commissioner of Patents.

(63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

This amendment shall become effective as of November 10, 1949.

Dated: November 7, 1949.

LORING K. MACY,  
Assistant Director,  
Office of International Trade.

[F. R. Doc. 49-9775; Filed, Dec. 6, 1949;  
8:54 a. m.]

[4th Gen. Rev. of Export Regs., Amdt. P. L. 19]  
PART 399—POSITIVE LIST OF COMMODITIES  
AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 Appendix A—*Positive List of Commodities* is amended in the following particulars:

1. The following commodities are deleted from the Positive List:

Dept. of Comm. Sched. B No.	Commodity
523130	Ophthalmic glass and glass blanks.
529500	Glass fiber and glass fiber products.
	Pottery (china, porcelain, earthenware, and stoneware included):
533500	Electrical porcelain for less than 6,600 volts.
	Refractories (report brick and shapes in thousands, 9-inch equivalent):
536100	Chrome (and chrome-magnesite) brick and shapes.
536200	Magnesite (and magnesite-chrome) brick and shapes.
536500	Silica brick and shapes.
536610	Fire-clay brick and shapes (except high alumina and fused alumina).
536690	Insulating firebrick and shapes.
	Abrasives:
540930	Emery powder, grains and grits.
541130	Unfused alumina abrasive.
541210	Grinding wheels and segments, emery. <sup>1</sup>
541810	Abrasive paper, garnet only.

Dept. of Comm. Sched. B No.	Commodity	Dept. of Comm. Sched. B No.	Commodity
	Abrasives—Continued	706700	Floodlight fixtures.
542000	Steel wool.		Signal and communication devices:
542010	Steel abrasives.	708500	Telegraph apparatus (wire) and parts.
	Asbestos:	708600	Telephone instruments.
545130	Nonspinning fibers.	708900	Rectifiers and relays.
545150	Waste and refuse.		Other electrical apparatus:
	Brake lining:	709890	Other wiring supplies and line material.
545600	Molded and semimolded.		Electrical apparatus, and parts, n. e. s.:
545700	Woven.	709998	Cottrel parts.
545800	Clutch facing, molded, semimolded and woven (including clutch lining).	709998	Demagnetizers, and parts.
	Brake blocks, molded, semimolded and woven.	709998	Lifting magnets.
545910	Graphite, natural:	709998	Mercoild contact tubes.
547290	Other natural graphite.	709998	Meter parts, measuring.
572250	Magnesite and magnesia, and manufactures.	709998	Miners' lamps.
	Industrial conversion oil burners and oil-fired boilers.	709998	Safety cap lamps.
615100	Sprocket and other power transmission chains, iron and steel.	709998	Safety lamp cells.
619100	Aluminum ores and concentrates:	709998	Solenoids, and parts (except aircraft).
	Bauxite and other aluminum ores.	709998	Terminal bushings.
629000	Prefabricated buildings (dwelling only), aluminum chief value.	709998	Thermostats.
630950	Matrices and matrix material, chief value aluminum.	709998	Welding set handles, automatic.
	Metal and metal composition manufactures:	709998	Welding set handles, manual.
669120	Lighter flints.	709998	Woodworkers, high-frequency.
692000	Platinum ore and concentrates.	915300	Gold for dentistry. <sup>2</sup>
	Ingots, sheets, wire, alloys, and scrap:		
692205	Platinum bars, ingots, sheets, wire sponge, and other forms (scrap included).	541210	Grinding wheels and segments: Aluminum oxide; silicon carbide; and corundum.
	Transforming or converting apparatus:	702810	Selenium battery chargers.
702810	Complete battery chargers, non-rotating, except selenium battery chargers. <sup>1</sup>		
705607	Portable electric tools, metalworking, except vibro-tool kits.		

<sup>1</sup> By this amendment the descriptions of the commodities remaining on the Positive List under these Schedule B numbers are revised to read as follows:

541210 Grinding wheels and segments: Aluminum oxide; silicon carbide; and corundum.

702810 Selenium battery chargers.

<sup>2</sup> Licensed by Treasury Department.

2. The following commodities are changed from R to RO commodities. The unit and related commodity group are also amended for various entries herein:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Refined oils:				
	Lubricating oils:				
	Industrial:				
503400	Black oils (including all black and dark green oils, except those intended for use in steam cylinders) (bbl. of 42 gals.).	Bbl. ....	PETR 24	25	RO
503520	Cylinder, steam-refined stocks (including cylinder stock, steam cylinder oil, gear, and other lubricating oils, consisting principally of such stock) (bbl. of 42 gals.).	Bbl. ....	PETR 24	25	RO
505900	Hydraulic oils of petroleum origin, containing synthetics.	.....	PETR	25	RO
505900	Reference fuels.	.....	PETR	25	RO
545110	Asbestos:				
	Crude asbestos and spinning fibers, unmanufactured.	L. ton....	NONF	100	RO
	Mica:				
551000	Unmanufactured (muscovite and phlogopite): Block, film, and splittings, which conform to ASTM or India—Calcutta standards.	Lb. ....	NONF	100	RO
573600	Magnesium silicate (talc, steatite, and soapstone), crude and ground.	L. ton....	NONF	100	RO
573700	Magnesium silicate (talc, steatite, and soapstone) manufactures.	Lb. ....	NONF	100	RO
595050	Quartz crystal, raw.	.....	RARA	10	RO
595090	Quartz crystal plates.	.....	RARA	10	RO
	Steel ingots, blooms, billets, slabs, sheet bars, tinplate bars, and tube rounds (Armco iron, ingot iron, and other iron made in steel-making furnaces included):				
601709	Alloy steel (stainless included): Steel sheet bars, and tin-plate bars.	S. ton....	STEE	100	RO
	Iron and steel bars, and rods (include bar size shapes):				
	Steel bars, cold finished:				
602050	Stainless.	Lb. ....	STEE 10	100	RO
602500	Other steel bars and rods (hot-rolled): Stainless steel.	Lb. ....	STEE	100	RO
	Plates, including boiler plate, except fabricated:				
	Stainless steel:				
603140	Other plates, hot-rolled.	Lb. ....	STEE 9	100	RO
603160	Other plates, cold-rolled.	Lb. ....	STEE 9	100	RO



Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
603540	Steel sheets, black, ungalvanized (include enameled, lacquered, or painted): Stainless steel:	Lb.		100	R.O.
603560	Hot-rolled: Cold-rolled:	Lb.	STEE 3 STEE 3	100	R.O.
603720	Strip, hoop, band, and scroll, iron and steel (including enameled, lacquered, and painted):	Lb.		100	R.O.
603790	Cold-rolled stainless steel:	Lb.	STEE	100	R.O.
603820	Cold-rolled alloy steel, except stainless:	Lb.	STEE	100	R.O.
603880	Hot-rolled alloy steel, except stainless:	Lb.	STEE	100	R.O.
603890	Wire and manufactures:	Lb.		1,000	R.O.
603900	Electric welding rods and wire:	Lb.	STEE	1,000	R.O.
603940	Welding rods and wire, iron and steel, except electric:	Lb.	STEE	100	R.O.
603990	Alloy steel wire, coated (include stainless):	Lb.	STEE	100	R.O.
604090	Castings and forgings, iron and steel:	Lb.		100	R.O.
604190	Alloy steel castings (stainless included):	Lb.		100	R.O.
604290	Metal drums and containers for transporting gas or lower hydrocarbons at pressures over 300 lbs. per square inch:	Lb.		100	R.O.
604320	Filled, where the value of the container represents 20 percent or more of the total value of the container plus contents:	Lb.		100	R.O.
604340	Unfilled:	Lb.		100	R.O.
604360	Lined steel tanks for storing or transporting gas or low hydrocarbons at pressures over 300 lbs. per square inch:	Lb.		100	R.O.
604380	Ferrocolumbium:	Lb.		100	R.O.
604420	Ors and concentrates:	Lb.		100	R.O.
604450	Cobalt (including residue):	Lb.		100	R.O.
604480	Columbium or niobium:	Lb.		100	R.O.
604520	Strontium:	Lb.		100	R.O.
604560	Metals and alloys in primary forms, n. e. s. (except ferroalloys):	Lb.		100	R.O.
604600	Cobalt metal alloys, and cobalt-bearing scrap metal (cobalt alloys and scrap not in chief value of cobalt included):	Lb.		100	R.O.
700100	Alternating current generators:	No.		None	R.O.
700105	Electrical generating sets powered by Diesel engines (assembled or unassembled):	No.		None	R.O.
700200	Transmission and distribution apparatus:	No.		None	R.O.
700300	Electric indicating instruments, other than voltmeters, battery testers, and cell testers:	No.		None	R.O.
700320	Electrical testing apparatus and cell testers:	No.		None	R.O.
700340	Motors, starters, and controllers:	No.		None	R.O.
700360	Controls, reversible type, for electric motors over 1,000 horsepower:	No.		None	R.O.
700380	X-ray apparatus:	No.		None	R.O.
700400	X-ray tubes and valves, 140 K.v. p. and over, and all X-ray diffraction tubes:	No.		None	R.O.
700420	X-ray diffraction units:	No.		None	R.O.
700440	Other electrical apparatus:	No.		None	R.O.
700460	Electronic tubes and parts, commercial and industrial, other than radio, except tungsten tubes:	No.		None	R.O.
700480	Electronic apparatus, and parts, n. e. s. (for use in experimental laboratories):	No.		None	R.O.
700500	Internal-combustion engines:	No.		None	R.O.
700520	Locomotives, Diesel and Diesel-electric:	No.		None	R.O.
700540	Mining and quarrying machinery:	No.		None	R.O.
700560	Grinding mills and pulverizers:	No.		None	R.O.
700580	Ore and rock crushing machines:	No.		None	R.O.
700600	Concentrating and smelting machines:	No.		None	R.O.
700620	Coal-sorting machines:	No.		None	R.O.
73210	Petroleum field and refining equipment, and parts:	No.		None	R.O.
73215	Oil and gas exploration equipment, and parts:	No.		None	R.O.
73220	Pumping pumps, delivering liquids or gases at 300 pounds or more, square inch:	No.		None	R.O.
73225	Redrilling steam pumps:	No.		None	R.O.
73230	Power-driven metal working machine tools (non-portable), and parts:	No.		None	R.O.
73235	Special spinning lathes for bombs:	No.		None	R.O.
73240	Boring lathes; cartridge-case trimming lathes; cartridge-head finishing lathes; crankshaft turning lathes; relieving lathes; and shell lathes:	No.		None	R.O.
73245	Vertical boring and turning mills:	No.		None	R.O.
73250	Jig boring machines; special boring machines for aircraft bomb nose and tail; and all precision boring machines with tolerance of 0.0005 inch or less:	No.		None	R.O.
73255	Shell tappers; tapping machines, vertical multiple spindle, adjustable joint:	No.		None	R.O.
73260	Automatic screw machines, multipindle (bar) type:	No.		None	R.O.
73265	Other milling machines:	No.		None	R.O.
73270	Propeller profiling machines (cutter and grinder):	No.		None	R.O.
73275	Thread milling machines, external, 6-inch work diameter and over including universal thread milling machines:	No.		None	R.O.
73280	Thread milling machines, large bore:	No.		None	R.O.
73285	Spar milling machines:	No.		None	R.O.
73290	Gear cutting machines:	No.		None	R.O.
73295	Gear generators and gear-cutting machines, spiral bevel, except planer type:	No.		None	R.O.
73300	Gear hobbers:	No.		None	R.O.
73305	Other drilling machines:	No.		None	R.O.
73310	Rifling machines; gun-reaming and drilling machines; other deep-hole drills and drilling machines; automatic multiple spindle drilling machines (consisting of a cluster of spindle driven from one power unit); and armor-plate-drilling machines, except radial:	No.		None	R.O.
73315	External cylindrical grinding machines, except universal:	No.		None	R.O.
73320	Internal grinding machines:	No.		None	R.O.
73325	External cylindrical universal grinding machines (including crank pin, crankshaft and roll grinders):	No.		None	R.O.
73330	Honing and lapping machines, except gear:	No.		None	R.O.
73335	Broaching machines (all types):	No.		None	R.O.
73340	Accessories and attachments for power-driven machine tools:	No.		None	R.O.
73345	Parts for military-type lathes and fixtures:	No.		None	R.O.
73350	Sheet and plate metalworking machinery, power-driven, and parts (Report can-making machinery in 744490):	No.		None	R.O.
73355	Hydraulic presses for shell banding (tire setters):	No.		None	R.O.
73360	Sheet and plate metalworking machinery specially designed for manufacturing ammunition:	No.		None	R.O.
73365	Presses, heavy-duty:	No.		None	R.O.
73370	Forging machinery, and parts:	No.		None	R.O.
73375	Special forging machines, bomb nose and tail:	No.		None	R.O.
73380	Forging presses, heavy-duty:	No.		None	R.O.
73385	Parts for dynamic balancing machines for balancing metal parts:	No.		None	R.O.



3. The entries set forth below are amended to read as follows: <sup>1</sup>

Item	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
1	206000	Truck and bus casings, to	Unit	RUBR 9	100	R
		Truck and bus casings, all sizes of combat or run-flat construction.	No.	RUBR 10	100	RO
	206000	Other truck and bus casings.	No.	RUBR 9	100	R
2	206000	Inner tubes:	Unit	RUBR 9	100	R
	206510	Truck and bus, to	No.	RUBR 10	100	RO
		Truck and bus, puncture or bullet seal, and multiple chamber.	No.	RUBR 9	100	R
	206510	Other truck and bus inner tubes.	Bbl.	PETR 24	25	RO
3	504020	Automotive lubricating oils having a Viscosity Index of 75 or above, and a pour of 0°F. or below (dbl. of 42 gals.)	Bbl.	PETR 24	25	RO
4	602000	Wire rods (for further manufacture), except specialty steel	Lb.	STEE 38	100	RO
	602000	Wire rods, specialty steel	Lb.	STEE 38	100	R
5	603570	Wire rods (for further manufacture)	Lb.	STEE 3	100	RO
	603570	Alloy steel, except stainless:	Lb.	STEE 38	100	R
		Hot-rolled, except enameled, lacquered, or painted.	Lb.	STEE 38	100	R
	603580	Alloy steel, except stainless:	Lb.	STEE 3	100	RO
		Hot-rolled.	Lb.	STEE 3	100	RO
	603580	Alloy steel, except stainless:	Lb.	STEE 38	100	R
		Cold-rolled, except enameled, lacquered, or painted.	Lb.	STEE 38	100	R
	603580	Alloy steel, except stainless:	Lb.	STEE 3	100	RO
		Cold-rolled.	Lb.	STEE 3	100	RO
	603580	The following iron and steel pipe fittings, n. e. s., when 150 lbs. pressure and under: Complings; galvanized pipe fittings; malleable iron pipe fittings; pipe nipples, lap-welded, black; pipe plugs; pipe unions; screw elbows; and swage nipples.	Lb.	STEE 38	100	R
	603580	Other iron and steel pipe fittings, n. e. s.	Lb.	STEE 4	100	RO
8	603580	Iron and steel pipe fittings, n. e. s.	Lb.	STEE 38	100	R
	603580	Iron and steel pipe fittings, n. e. s.	Lb.	STEE 4	100	RO
	603580	Iron and steel pipe fittings, n. e. s.	Lb.	STEE 38	100	R
	603580	Iron and steel pipe fittings, n. e. s.	Lb.	STEE 4	100	RO
	603580	Iron and steel pipe fittings, n. e. s.	Lb.	STEE 38	100	R
	603580	Iron and steel pipe fittings, n. e. s.	Lb.	STEE 4	100	RO
9	617891	Tools incorporating industrial diamonds n. e. s. (including metal alloy slugs containing diamonds).	Unit	CDGS 1	None	RO
	617891	Tools incorporating industrial diamonds n. e. s. (including metal alloy slugs containing diamonds).	No.	TOOL	None	RO
10	620068	Perforated steel sheets (plain, stainless, and alloy steel included).	CDGS 38	CDGS 38	100	R
	620068	Perforated steel sheets (plain, stainless, and alloy steel included).	STEEL	STEEL	100	R

<sup>1</sup> These changes represent, variously, changes of commodity descriptions, Schedule B numbers, units, processing codes, related commodity groups, and commodities from B to RO commodities. The first entry, or group of entries, in each of the above-numbered items is the entry, or group of entries, as it has been previously published and the second entry, or group of entries, in the numbered item represents the change made by this amendment.

Item	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
11	630968	Perforated aluminum sheets	CDGS	CDGS	100	R
12	630968	Perforated aluminum sheets	NONE	NONE	100	R
	630968	Copper manufactures, n. e. s.	NONE	NONE	100	R
	630968	Copper rotating bands for shells; and other copper manufactures, n. e. s.	NONE	NONE	100	RO
13	630968	Copper manufactures, n. e. s.	NONE	NONE	100	R
	630968	Brass and bronze manufactures, n. e. s.	NONE	NONE	100	R
	630968	except blanks and circles	NONE	NONE	100	RO
	630968	Brass and bronze manufactures for munitions components, n. e. s.	NONE	NONE	100	R
14	647968	All other brass and bronze manufactures	Lb.	NONE	100	R
	647968	Columbium metal and alloys	Lb.	NONE	100	R
	647968	Columbium metal and alloys (including scrap).	Lb.	NONE	100	RO
15	647968	Other metals and alloys in primary forms	Lb.	NONE	100	R
	647968	n. e. s.	Lb.	NONE	100	RO
	647968	Strontium metal	Lb.	NONE	100	RO
	647968	Titanium metal	Lb.	NONE	100	RO
	647968	Other metals and alloys in primary forms, n. e. s.	Lb.	NONE	100	R
16	704300	Motors, over 200 horsepower	Unit	ELME	None	R
	704300	Motors, over 200 but not over 1,000 horsepower.	No.	ELME	None	R
	704300	Motors, over 1,000 horsepower	No.	ELME	None	RO
	704300	Accessories and parts, for motors	No.	ELME	None	R
17	705000	Accessories and parts for motors over 1,000 horsepower	Unit	ELME	100	RO
	705000	Accessories and parts for other motors	Unit	ELME	100	R
	705000	High-frequency electronic signaling and detection apparatus, and parts, 500 megacycles and over (include hand-borne and ship-borne, and air-borne).	Unit	ELME	None	RO
	705000	High-frequency electronic signaling and detection apparatus, and parts, 500 megacycles and over (include hand-borne and ship-borne, and air-borne).	Unit	ELME	None	RO
18	705000	High-frequency electronic signaling and detection apparatus, and parts, 500 megacycles and over (include hand-borne, ship-borne, and air-borne).	Unit	ELME	None	RO
19	733910	Coal mining machinery, n. e. s., including combination coal cutting and loading devices.	Unit	CONS	None	R
	733910	Other mining and quarrying machinery, n. e. s.	Unit	CONS	None	RO
	733910	Other mining and quarrying machinery, n. e. s.	Unit	CONS	None	R
	733910	Other mining and quarrying machinery, n. e. s.	Unit	CONS	None	RO
	733910	Other mining and quarrying machinery, n. e. s.	Unit	CONS	None	R
20	740005	Engine lathes (tool room lathes included), except bench lathes; jewelers' lathes; and engine lathes, n. e. s., valued under \$500.	Unit	TOOL	None	RO
	740005	Engine lathes (tool-room lathes included)	No.	TOOL	250	RO
	740005	Power driven metalworking machine tools, n. e. s.	Unit	TOOL	250	R
	740005	Rifle-working machines; and shaving machines (except gear).	No.	TOOL	250	RO
	740005	Power-driven metalworking machine tools, n. e. s.	No.	TOOL	250	R

<sup>1</sup> The other entries on the Positive List under this Schedule B number are not affected by this action.  
<sup>2</sup> This commodity formerly required a license to Group I countries only and was included in the listing "Other metals and alloys in primary form, n. e. s." The other entries on the Positive List under this Schedule B number are not affected by this action.



Item	Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
22	744340	Parts for metalworking machinery included in the Positive List, and classified in Schedule B numbers 744005 through 744319, to	TOOL	TOOL	250	R
	744340	Parts for metalworking machinery included on the Positive List, classified in Schedule B numbers 744005 through 744319, for which validated license is required to R and O country destinations.	TOOL	TOOL	250	RO
	744340	Parts for metalworking machinery included on the Positive List, classified in Schedule B numbers 744005 through 744319, for which validated license is required to R country destinations only.	TOOL	TOOL	250	R
23	744383	Jigs, fixtures, and plate metalworking accessories, military type.	TOOL	TOOL	None	R
	744383	Jigs and fixtures, military type.	TOOL	TOOL	None	RO
	744405	Parts and accessories for sheet and plate metalworking machinery included on the Positive List.	TOOL	TOOL	250	R
	744405	Parts and accessories for sheet and plate metalworking machinery included on the Positive List under Schedule B No. 744005 for which validated license is required to R and O country destinations.	TOOL	TOOL	250	RO
	744405	Parts and accessories for sheet and plate metalworking machinery included on the Positive List under Schedule B No. 744005 for which validated license is required to R country destinations only.	TOOL	TOOL	250	RO
25	744700	Parts for forging machinery included on the Positive List.	TOOL	TOOL	250	R
	744700	Parts for special forging machines, bomb nose and tail, and heavy-duty forging presses.	TOOL	TOOL	None	RO
	744700	Parts for other forging machinery included on the Positive List.	TOOL	TOOL	None	R
	745298	Foundry equipment and parts, n. e. s.; Equipment for continuous casting or semicontinuous steel, valued \$250 or over.	TOOL	TOOL	250	R
	745298	Foundry equipment and parts, n. e. s.; Machinery, and parts, for continuous casting or semicontinuous steel.	TOOL	TOOL	250	RO
	745501	Balancing machines, for balancing metal parts statically, dynamically or both.	Unit	TOOL	None	R
	745501	Dynamic balancing machines for balancing metal parts.	No	TOOL	None	RO
	745505	Special artillery centrifugal die-casting machines; and other precision-type die-casting equipment.	TOOL	TOOL	None	R
	745505	Die-casting equipment, precision-type, except special artillery.	TOOL	TOOL	None	R
	745505	Special artillery centrifugal die-casting machines.	TOOL	TOOL	None	R
	745505	Other precision-type die-casting machines.	TOOL	TOOL	None	RO
	745505	Accessories and parts for special artillery centrifugal die-casting machines and other precision-type die-casting equipment.	TOOL	TOOL	None	R
	745505	Parts and accessories for die-casting equipment, precision-type, except special artillery.	TOOL	TOOL	250	R
	745505	Accessories and parts for special artillery centrifugal die-casting machines.	TOOL	TOOL	250	RO
	745505	Accessories and parts for other precision-type die-casting machines.	TOOL	TOOL	250	R
	745508	Multislid machines	TOOL	TOOL	None	R
	745508	Multislid machines and parts	TOOL	TOOL	None	RO

With respect to Parts 2 and 3 of this amendment, shipments of any of the above commodities removed from general license to Country Group O destinations which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to an actual order for export prior to the effective date of this amendment may be exported under the previous general license provisions.

4. The dollar value limits in the column headed "GLV Dollar Value Limits" set forth opposite each of the commodities listed below are amended to read as follows:

Dept. of Commerce Schedule B No.	Commodity	GLV dollar value limits
707612	Radio apparatus:	100
707623	Radio transmitting tubes	100
707640	Parts and accessories for radio transmitting sets and transmitting-receiving sets, except tubes	1,000
707720	Radio beam equipment, under 300 megacycles, used for the direction and navigation of aircraft	200
707780	Radio receiving sets, communications type; and hydrophones	50
707800	Radio receiving tubes	100
707802	Radio receiving set components:	100
707804	Capacitors (condensers)	100
707804	Resistors	100
707804	Chokes and transformers	200
707804	Other radio-receiving set accessories	200
728890	Parts and accessories for the following road and airport machines: Concrete mixers and pavers; self-propelled road graders; self-propelled scrapers, self-loading bulldozers, angle dozers, trail builders, brush cutters and similar tractor equipment; bituminous paving plants; bituminous distributors; bituminous mixers; bituminous spreaders; compacting rollers; and snowplows, 65 horsepower and over	100
728890	Parts, and accessories, for tracklaying tractors	100

(63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

This amendment shall become effective as of November 4, 1949.

Dated: November 4, 1949.

LORING K. MACY,  
Assistant Director,  
Office of International Trade.

[F. R. Doc. 49-9776; Filed, Dec. 6, 1949; 8:54 a. m.]

## TITLE 32—NATIONAL DEFENSE Chapter V—Department of the Army

Subchapter A—Aid of Civil Authorities and Public Relations

PART 505—SAFEGUARDING MILITARY INFORMATION

REVISION OF PART

Part 505 is revised to read as follows:

Sec.  
505.1 Definitions.  
505.2 Loss or subjection to compromise.



- Sec.  
 505.3 Dissemination of classified military information.  
 505.4 Requests for military information.  
 505.5 Responsibility for safeguarding technical information.  
 505.6 Classification of information from commercial firms.  
 505.7 Dissemination of classified technical information.  
 505.8 Invitations for bids and contracts.  
 505.9 Consultations with responsible manufacturers.  
 505.10 Responsibility of Government contractors.  
 505.11 Public display of classified matériel.  
 505.12 Release of information or sale of matériel.  
 505.13 Authority for admission of visitors.  
 505.14 Responsibility of commanding officer, Army representative, or inspector.  
 505.15 Responsibility of Government contractors regarding visitors.  
 505.16 Restricted areas.  
 505.17 Reserved areas.

AUTHORITY: §§ 505.1 to 505.17 issued under R. S. 161; 5 U. S. C. 22.

SOURCE: AR 380-5, Nov. 15, 1949.

§ 505.1 *Definitions*—(a) *Classified matter*. Information or material in any form or of any nature which in the public interest must be safeguarded in the manner and to the extent required by its importance.

(b) *Document*. Any recorded information regardless of its physical form or characteristics including but not limited to:

- (1) Written material, whether handwritten, printed, or typed.
- (2) All painted, drawn, or engraved material.
- (3) All sound or voice recordings.
- (4) All printed photographs and exposed or printed film, still or moving.
- (5) Classified messages (cables).
- (6) All reproductions of the foregoing by whatever process.

NOTE: For the purpose of security classification and/or regrading action, a group of physically connected papers which would be incomplete if any were withdrawn may be considered as one document.

(c) *Foreign nationals*. All persons not citizens of the United States.

(d) *Material*. Any document, product, matériel, or substance on or in which information may be recorded or embodied, and items in all stages of development, processing, or construction, and includes elements, ingredients, components, accessories, fixtures, dies, models, and mockups associated with such items.

(e) *Military information*. (1) All documents, facts, and material, photographs, diagrams, maps, replies, reports, or observations of any kind which may serve to throw light on a possible or an actual enemy or on a theater of operations.

(2) All information primarily under the control and the jurisdiction of the United States Armed Forces or of primary interest to them. The term is employed in this sense principally in connection with problems of safeguarding information or of regulating its release or distribution.

(f) *Technical information*. Applies to data concerning munitions and equipment, instructions on maintenance and

operation, and any descriptive matter or components thereof. This includes means of operation, manufacture, use, techniques, and processes. Information pertaining to the various sciences which may be employed directly or indirectly in warfare are also so classed. Data of a strategic or tactical nature is specifically excluded from the meaning of this term.

(g) *Visitor*. Any person admitted to a Government or civilian establishment or area in which work or a project is being conducted for the Department of the Army, except:

- (1) A person employed on the work or project, or
- (2) A person directly and officially concerned with the work or project.

§ 505.2 *Loss or subjection to compromise*. (a) Any person, civilian or military, under the jurisdiction of the Department of the Army or in its employ who becomes aware of the loss or possible disclosure or release of classified information to any unauthorized person, will report such fact to his immediate superior or commanding officer. In case of loss or possible disclosure or release to any unauthorized person of Top Secret, Secret, Confidential, or Registered matter, the commanding officer will determine and notify by the fastest available means the:

- (1) Agency having primary interest in the information (normally the office of issue).
- (2) Commanding officer of the individual having custodial responsibility for same.

§ 505.3 *Dissemination of classified military information*—(a) *Discussions*. All discussions, either public or private, of military information classified or unclassified, with or in the presence or hearing of any person unauthorized to have knowledge thereof, are prohibited. Classified information will not be divulged in telephone conversations or over approved circuits. No person is entitled solely by virtue of his grade or position to knowledge or possession of classified matter. Such matter shall be entrusted only to individuals whose official duties require such knowledge or possession.

(b) *Persons not subject to military law*. When persons not subject to military law and the provisions of Parts 505 and 509 of this subchapter are permitted or required to receive or handle classified military information, they will be informed, prior to such receipt or handling, that it affects the national defense of the United States within the meaning of the Espionage Laws, and that its transmission to an unauthorized person is prohibited.

(c) *Commercial publications*. The inclusion of classified military information in any article, thesis, book, or other product written for publication, distribution, or use beyond the control of the Department of the Army, by military or civilian personnel of the Department of the Army, is prohibited. The contribution in any manner of classified military information, by Department of the Army military or civilian personnel, to other persons for use in publications as described above, constitutes unauthorized

disclosure of classified information and is expressly prohibited.

§ 505.4 *Requests for military information*. (a) All requests from United States private individuals, firms, or corporations, Federal or State agencies or departments, as well as foreign governments or their nationals for classified military information (except those defined in paragraph (c) of this section) are subject to policies established by the Director of Intelligence, General Staff, United States Army.

(b) (1) Exchange of classified military information, including technical, with foreign nationals will be made in accordance with instructions issued by the Director of Intelligence, General Staff, United States Army.

(2) Exchange of unclassified military information, other than technical, with foreign nationals will be made only through or with the express permission of the Director of Intelligence, General Staff, United States Army.

(3) Exchange of unclassified technical information with foreign nationals will be made in accordance with instructions issued by the Director of Intelligence, General Staff, United States Army.

(c) Applications from outside the Department of the Army, requesting access to information or records originated at the request of the Department of the Army, for its use in connection with industrial mobilization activities, will be referred to the Assistant Secretary of the Army for disposition. The serving of any process or subpoena requiring production of such information or records will be reported immediately by the recipient to the United States District Attorney for the district in which service was made, and simultaneously direct to the Assistant Secretary of the Army. Pending instructions from the Assistant Secretary of the Army, no action toward furnishing the requested information will be taken.

§ 505.5 *Responsibility for safeguarding technical information*. (a) Heads of technical services engaged in the preparation of plans, research, development work, or new design, test, production, procurement, storage, or use of classified matériel are responsible for the promulgation of such additional directives as may be required in Army installations for the safeguarding of information in the offices, establishments, laboratories, shops, or Army Posts under their jurisdiction.

(b) The Provost Marshal General is responsible for the promulgation and enforcement of such additional directives as may be required for the safeguarding of information in the offices, establishments, shops, laboratories, and other facilities of commercial organizations under contract to the Department of the Army for research, development, design, test, production, procurement, storage, or use of classified matériel. The responsibility of Army representatives or inspectors will be in accordance with instructions prepared by the Provost Marshal General.

(c) All Top Secret, Secret, Confidential, or Restricted models, exhibits, dies,

6290



machines, and other similar items which are to be loaned, leased, or given to a commercial organization will be properly marked to indicate classification, when practicable. If such marking is impracticable, the commercial organization will be specifically notified in writing of the classification of such items and of the pertinent provisions of the Espionage Laws and a copy of such notification will be sent to the Provost Marshal General.

§ 505.6 *Classification of information from commercial firms.* Information obtained from civilian manufacturers concerning proprietary processes will be classified as Confidential unless otherwise authorized by the firm concerned.

§ 505.7 *Dissemination of classified technical information.* In classified information concerning technical projects or developments may be imparted only to those individuals whose official duties require such knowledge or possession, and to accredited representatives of foreign nations in accordance with the provisions of § 505.4 (b).

§ 505.8 *Invitations for bids and contracts.* Prior to furnishing a prospective bidder, subbidder, contractor, or subcontractor with drawings, specifications, or other pertinent information concerning any project or projects of a Top Secret, Secret, Confidential, or Restricted nature, clearance will be obtained by the procurement agency in accordance with instructions prepared by the Provost Marshal General.

§ 505.9 *Consultations with responsible manufacturers.* The commanding officers of arsenals and depots and other officers engaged in work on Government contracts are authorized to consult with all interested manufacturers or their representatives, inventors, and other persons, concerning technical matters in which they have a legitimate interest. They will, however, inform all such persons of the classification of the projects, works, and developments.

§ 505.10 *Responsibility of Government contractors.* (a) A private individual, firm, or corporation which enters into a contract to engage in technical work for the Department of the Army becomes responsible in matters within his or its control for the safeguarding of all Top Secret, Secret, Confidential, or Restricted matters that may be disclosed or that may be developed in connection therewith as required by the security regulations promulgated by the Provost Marshal General. A clause to this effect will be included in such a contract, but its omission will not release the contractor from his responsibility under the Espionage Laws and other pertinent laws.

(b) Contractors are responsible that all classified projects allotted to subcontractors or agents are fully protected by a similar agreement.

(c) Whenever a contract agreement or subcontract has been made which does not include a security clause but later is found to involve Top Secret, Secret, Confidential, or Restricted matter, the technical service concerned will take the necessary steps to insure that

the project or work is properly classified and that the Provost Marshal General and contractor, agent, or subcontractor are informed of the classification and of responsibility in the matter.

§ 505.11 *Public display of classified matériel.* (a) Commanding officers are responsible that all classified parts, components, or features of matériel are properly safeguarded during maneuvers, drills, parades, ceremonies, assemblages, demonstrations, or exhibitions, open to the general public.

(b) (1) Photographs of equipment while in process of development or those revealing processes of manufacture are prohibited unless authorized by the head of the technical service concerned. After an article of equipment has been issued to combat units, release of photographs is permissible unless specifically prohibited by the instructions issued therewith.

(2) Requests for permission to take photographs of classified matériel, projects, or processes of manufacture will be referred to the Department of the Army through the head of the appropriate technical service. If authority is granted, it will be with the understanding that the resulting photographs will be submitted to the Department of the Army for review prior to release.

§ 505.12 *Release of information or sale of matériel.* Domestic sale, divulging information in connection with negotiations for foreign sale, and foreign manufacture of items of Army, Navy, or Air Force matériel and equipment are not permitted unless the Department of the Army, Navy, and Air Force are agreed that military secrecy is not compromised thereby.

§ 505.13 *Authority for admission of visitors.*—(a) *General.* Correspondence and communications relating to visits will be routed direct between the various offices concerned. For the purpose of §§ 505.13 through 505.15, a United States citizen while a representative, official, or employee of a foreign government or foreign private or commercial entity, is considered a foreign national. Visits are authorized under the conditions set forth below.

(b) *Foreign nationals (see § 505.1 (c)).*—(1) *Authority of facility.* Subject to the approval of the facility concerned, foreign nationals may be authorized by the local authority to visit commercial facilities provided no classified work or project is shown or discussed.

(2) *Authority of local commanding officer.* Foreign nationals may be admitted to Department of the Army installations for social purposes, for activities open to the general public, for authorized medical treatment, and in connection with emergency landings, by authority of the commanding officer provided no classified features are shown or discussed.

(3) *Authority of commanding general, army (ZI), or other command.* Members of the armed forces of Canada and Mexico may be admitted to Army posts, camps, and stations near the borders of those countries for occasional visits on the authority of the commanding gen-

eral of the army (ZI), or other command having jurisdiction over the installation without reference to higher authority, provided no classified information is disclosed.

(4) *Authority of Director of Intelligence, General Staff, United States Army.*

(1) Foreign nationals may be admitted to the following only on written authority of the Director of Intelligence, General Staff, United States Army:

(a) Department of the Army installations except as provided in subparagraph (2) and (3) of this paragraph.

(b) Government or commercial facilities where classified work, projects, or features will be shown or discussed.

(ii) Foreign visit requests will include the following information:

(a) Name in full.

(b) Official title or position.

(c) Nationality.

(d) Name of installation, facility, or activity to which admission is desired.

(e) Date of visit or dates between which visits are desired.

(f) Purpose of visit.

(g) Sponsor.

(iii) Authorization to visit does not constitute authority for release of classified documents to visitors.

(c) *Visits by alien employees.* Aliens employed by a United States contractor under classified contract to a United States military agency; aliens employed by a nonmilitary United States Federal Government agency engaged in a classified contract with a United States military agency, or aliens employed on a classified project or work by an agency of the United States Armed Forces may visit Department of the Army installations, Government or commercial facilities engaged in a classified contract with the Department of the Army on authority of the commanding officer of the installation or the Department of the Army representative at the facility without reference to the Director of Intelligence, General Staff, United States Army, under the following procedure:

(1) The necessity for the visit must be attested by the United States military resident representative or inspector on duty at the employing establishment or, in case no resident representative is assigned, by the United States military procurement agency, or military agency for which the alien is working.

(2) The visit request must be accompanied by a certified true or photostat copy of the letter granting consent for alien employment on classified work. The request must state the specific scope of information or items desired to be shown the visitor.

(3) Alien visitors will not be permitted access to information of a higher classification than that indicated in the letter granting consent for alien employment on classified work.

(4) If the commanding officer of the installation or Department of the Army representative at the facility to be visited approves the visit, the requester will be so notified.

(5) The alien visitor must have in his possession a copy of the approved visit request as well as proper identification.

(d) *United States citizens.* Subject to the approval of the commanding officer



or the contractor, United States citizens, except those representing a foreign government, firm, or corporation, may be admitted to Department of the Army installations or commercial manufacturing establishments engaged on classified work or projects under the following conditions:

(1) Casual visitors may be admitted provided no classified work or project is shown or discussed.

(2) Representatives of other United States Government agencies, manufacturers, or their representatives, engineers, and inventors cooperating in Department of the Army work and having a legitimate interest therein may be shown such works or projects as are considered necessary and desirable by the responsible head of technical service, or other Department of the Army agency. Request for such visitor clearance shall be in accordance with appropriate requirements of the Provost Marshal General.

(3) Accredited reporters, photographers, and other representatives of publicity agencies may be admitted to Department of the Army installations or manufacturing establishments engaged on work for the Department of the Army, provided classified matter, projects, or processes of manufacture are not shown or discussed with them.

**§ 505.14 Responsibility of commanding officer, Army representative, or inspector.** The commanding officer of a military establishment or the Army representative or inspector at a commercial or governmental establishment:

(a) Is the local representative of the Department of the Army in all matters regarding the admission of visitors. If, in his opinion, the situation at the time makes the admission of a visitor inadvisable, he is empowered to postpone the visit and request instructions from the office which authorized it.

(b) Will forward through military channels to the Director of Intelligence, General Staff, United States Army, a report on all foreign nationals who visit installations or establishments engaged in classified work or projects for which they are responsible. (In case there is no Army representative or inspector at a commercial establishment the contractor will submit the report.) Report will include the following:

(1) Name, official position, and nationality.

(2) Authority for visit.

(3) Date of visit, to include time in and out.

(4) Matters in which visitor showed greatest interest.

(5) General type or nature of questions asked.

(6) Expressed object of visit.

(7) Estimate of the real object of the visit.

(8) General estimate of ability, intelligence, and technical knowledge of the visitor and his proficiency in the English language.

(9) A brief of what was shown and explained.

(10) If classified information was disclosed, highest security classification of information disclosed to the visitor.

**§ 505.15 Responsibility of Government contractors regarding visitors.**

(a) Contractors or subcontractors engaged in work for the Department of the Army must place such restrictions on the movements of persons employed or entering their plants or offices as will give adequate security to Top Secret, Secret, Confidential, or Restricted matters in their possession. In view of the wide differences in organization, arrangement, and physical makeup of individual plants, specific rules are not practicable; local conditions at the plant and the classification of the project will determine the security measures to be adopted.

(b) The following general procedure in regard to visitors at establishments or plants engaged in classified projects for the Department of the Army is prescribed:

(1) Visitors will be accompanied during their stay at the plant by the inspector or Army representative, a member of his office, or some responsible person who is specifically informed as to the necessary limitations or restrictions, the scope of the visit, and the information which may be furnished.

(2) Unless specifically authorized by the authorities mentioned in § 505.13, visitors will not be allowed in any shop, laboratory, drafting room, or section of a plant where Top Secret, Secret, Confidential, or Restricted matériel is located or where classified work is in progress, nor will they be permitted to take photographs.

(c) Department of the Army contractors who are engaged in classified contracts or projects will submit to the appropriate Army representative or inspector a report on all foreign nationals who visit their establishments or plants which are engaged in classified work or projects. Report will contain the information required by § 505.14 (b).

**§ 505.16 Restricted areas—(a) Designation.** The commanding officer of a military reservation, post, camp, station, or installation is responsible for the designation and proper safeguarding of restricted areas in his military reservation, post, camp, station, or installation. If local conditions dictate, he will mark all ordinary entrances or approaches to such areas with a sign reading as follows:

**WARNING**

**RESTRICTED AREA**

It is unlawful to enter within this \_\_\_\_\_  
\_\_\_\_\_ without written per-  
mission of \_\_\_\_\_  
(Area, building, etc.)  
(Authority)

(b) **Procedure in case of violation.** (1) The commanding officer of a military reservation, post, camp, station, or installation will cause any person not subject to military law who enters a restricted area or building to be detained, warned of his rights, and interrogated by proper authority. If it is a first offense and there is no evidence of deliberate intent, the offender may be warned against repetition and released upon the surrender of any unlawful photograph, sketch, picture, drawing, map, or graphic representation in his

possession. Otherwise the offender will be delivered without unnecessary delay to the nearest United States marshal with a written statement of the facts, the names and addresses of the witnesses, and such pertinent exhibits as may be available.

(2) When an investigation reveals that a person not subject to military law has entered such a restricted area or building, custody of the individual not having been effected, the commanding officer will promptly forward in writing to the nearest United States district attorney a report of all the facts, including the names and addresses of the witnesses.

(3) A report will be made through military channels to the commanding general of the army concerned of each case brought to the attention of civil authority and will include a brief summary of all the facts and copies of all pertinent communications.

**§ 505.17 Reserved areas.** Areas reserved for military or national defense purposes, admittance to which is either restricted or prohibited, are set apart by Executive order of the President of the United States or by order of the Secretary of the Interior.

[SEAL] EDWARD F. WITSELL,  
Major General,  
The Adjutant General.

[F. R. Doc. 49-9777; Filed, Dec. 6, 1949;  
8:54 a. m.]

**Chapter VII—Department of the Air Force**

**Subchapter A—Aid of Civil Authorities and Public Relations**

**PART 805—SAFEGUARDING MILITARY INFORMATION**

**REVISION OF PART**

**CROSS REFERENCE:** For revision of regulations with respect to safeguarding military information, see Part 505 of Chapter V, *supra*, which was made applicable to the Department of the Air Force at 13 F. R. 8751.

**Subchapter A—Aid of Civil Authorities and Public Relations**

**PART 804—RELATIONS WITH AGENCIES OF PUBLIC CONTACT**

**COMMERCIAL LIFE INSURANCE SOLICITATION**

Sec.

804.201 Purpose.

804.202 Policy.

**AUTHORITY:** §§ 804.201, 804.202 issued under R. S. 161; 5 U. S. C. 22.  
**DERIVATION:** AFR 34-21, Sept. 9, 1949.

**§ 804.201 Purpose.** The regulations contained in §§ 804.201, 804.202 prescribe uniform policy and procedures in connection with the solicitation of commercial life insurance on military reservations.

**§ 804.202 Policy—(a) Who may solicit.** Any commercial life insurance company, duly licensed by any State or the District of Columbia, may solicit busi-



ness on any military reservation, exclusive jurisdiction over which has been ceded to the United States. When the State in which the installation is located has retained exclusive or concurrent jurisdiction over the reservation, a commercial life insurance company must qualify under the laws of that State prior to transacting business on the military reservation.

(b) *Regulating solicitation.* Installation commanders are authorized to regulate the solicitation of commercial life insurance and to require compliance with such rules of procedure as they shall prescribe, subject to the following limitations:

(1) No solicitation will be permitted among recruits processing through recruiting stations. Solicitation among Air Force officer and enlisted personnel being processed through ports of embarkation, water or aerial, and Air Force oversea replacement depots, will be limited to individual appointments made at the written request of the processees concerned.

(2) No solicitation will be permitted at installations assigned to Indoctrination Division, Air Training Command, until trainees have had the rights and benefits of National Service Life Insurance fully explained, and have had ample opportunity to take advantage of these benefits.

(3) No formations will be required or permitted to facilitate the sale of commercial life insurance. Solicitation will be on an individual basis and in such a manner as not to interfere with any military duty.

(4) No emoluments will be offered to or accepted by military or civilian personnel of the Air Force to facilitate commercial life insurance transactions.

(5) No commercial life insurance organization, association, company, group, or other such entity or agent, or plan of insurance will be in any way sponsored by any member of the Air Force, nor will any special consideration be afforded the above. The only plans of life insurance considered noncommercial by the Department of the Air Force are those offered under the National Service Life Insurance Act of 1940, as amended (54 Stat. 1008 as amended; 38 U. S. C. 801-818), and the World War Veterans' Act of 1924, as amended (43 Stat. 607 as amended; 38 U. S. C. 511-518), (United States Government Life Insurance), which are underwritten by the United States Government.

(6) When it is found by the commander that too large a number of life insurance agents are soliciting on the installation, limitations will be imposed on the number of agents from each company rather than on the number of companies represented. This will not, however, preclude any action on the part of the commander to bar a company because of violation of policies set forth by him.

#### Subchapter F—Reserve Forces

Regulations contained in §§ 865.1 to 865.7 (14 F. R. 779), are hereby revised to read as follows:

### PART 865—RETIREMENT OF AIR FORCE RESERVE PERSONNEL

- Sec.  
865.1 Eligibility.  
865.2 Ineligibility.  
865.3 Year of satisfactory Federal service for eligibility for retirement.  
865.4 Computation of retired pay.  
865.5 Application.

AUTHORITY: §§ 865.1 to 865.5 issued under secs. 301-310, 812, 62 Stat. 1087-1090; 10 U. S. C. Sup. II, 1036.

DERIVATION: AFR 45-7, Sept. 27, 1949; AFR 45-7A, November 16, 1949.

§ 865.1 *Eligibility.* The requirements for retirement with pay are that:

(a) The Reservist has attained 60 years of age.

(b) The Reservist has completed a minimum of 20 years of satisfactory Federal service (not necessarily consecutive) in one or more of the components listed in subparagraph (1) of this paragraph:

(1) Service only in the following components of the armed services can be counted for retirement credit. (Service in subdivisions (i), (ii), (iii), (iv), and (v) of this subparagraph is creditable provided the service is not sufficient to warrant retired pay under any other provision of law applicable to members of the armed services.)

- (i) United States Air Force.
- (ii) United States Army.
- (iii) United States Navy.
- (iv) United States Marines.
- (v) United States Coast Guard.
- (vi) The National Guard of the United States.

(vii) The National Guard while in the service of the United States.

(viii) The Federally recognized National Guard prior to 1933.

(ix) A Federally recognized status in the National Guard prior to 1933.

(x) The Officers' Reserve Corps and the Enlisted Reserve Corps prior to March 25, 1948.

(xi) The Organized Reserve Corps.

(xii) The Army of the United States without component.

(xiii) The Naval Reserve and the Naval Reserve Force, excluding those members of the Fleet Reserve and the Fleet Naval Reserve transferred thereto after completion of 16 or more years of active naval service.

(xiv) The Marine Corps Reserve and the Marine Corps Reserve Force, excluding those members of the Fleet Marine Force Reserve transferred thereto after completion of 16 or more years of active naval service.

(xv) The Limited Service Marine Corps Reserve.

(xvi) The Naval Militia who have conformed to the standards prescribed by the Secretary of the Navy.

(xvii) The National Naval Volunteers.

(xviii) The Air National Guard.

(xix) The Air Force Reserve (Officers or Enlisted Sections).

(xx) The Air Force of the United States without component.

(xxi) The Coast Guard Reserve.

(2) Service in the following components among others can not be counted for retirement credit:

- (i) Inactive National Guard.
- (ii) Inactive Air National Guard.

(iii) Inactive Reserve Section or Honorary Reserve Section of the Officers' Reserve Corps.

(iv) Inactive Section or Honorary Section of the Air Force Reserve.

(v) Honorary Retired List of the Navy or the Marine Corps.

(c) The last eight years of qualifying service must have been service as a member of a Reserve component, except that any member of a Reserve component of the Air Force of the United States will be entitled to include service in Reserve components of any of the services for service performed on or prior to July 26, 1949.

(d) A person who was a member of a Reserve component on or before August 15, 1945 must have performed active Federal service during one or more of the following periods: April 6, 1917 to November 11, 1918, and September 9, 1940 to December 31, 1946.

§ 865.2 *Ineligibility.* The following personnel are not eligible to receive benefits under the provisions of the regulations contained in this part:

(a) Members of the Regular Army, Navy, Air Force, or Marine Corps who are also members of a Reserve component.

(b) Any officer or enlisted person of the Regular or Reserve components of the Army, Navy, Air Force, or Marine Corps who is entitled to receive, or is receiving under any other provision of law, retired pay for military or naval service, including retirement pay as a transferred member of the Fleet Reserve.

§ 865.3 *Year of satisfactory Federal service for eligibility for retirement—(a) Definitions.* The following definitions are applicable in the interpretation of the table of active and inactive duty points:

(1) *Training period.* A duly authorized period of instruction performed by an individual with a mobilization assignment. Such training period will be of at least two hours' duration.

(2) *Unit training assembly.* A duly authorized and scheduled period of instruction conducted by United States Air Force Reserve or Air National Guard of the United States Table of Organization and Equipment or Table of Distribution units. Such unit training assemblies will be of at least two hours' duration.

(3) *Period of equivalent training or instruction.* Attendance at, or participation in, any one of the following activities for a continuous period of not less than two hours' duration.

(i) Supervised training on an inactive duty status with units or agencies of the regular military establishment, when such training is specifically authorized by competent authority and when the character of the training is such as to result in an increase in the military proficiency of the individual or individuals concerned, and when satisfactory participation is certified by the commanding officer of the regular unit or agency concerned.

(ii) Training on inactive duty status with units of the Army, Navy, Marine Corps, or Coast Guard Reserve under the conditions specified in subdivision (i) of this subparagraph.



(iii) Flight training performed by rated personnel, when the flight training is pursuant to completion of approved and published minimum maintenance of proficiency requirements for the Reserve Forces category to which an individual is assigned: *Provided*, That the training is not conducted as part of any other point gaining activity specified herein.

(iv) Attendance at training assemblies of military personnel, other than unit training assemblies, when the training assemblies are pursuant to an approved course of training or are specifically authorized by competent authority.

(4) *Period of equivalent duty or appropriate duties.* Accomplishment of any one of the following duties for a continuous period of not less than two hours' duration.

(i) Duties performed under the jurisdiction of the Office of Selective Service Records when such duty is approved by competent authority, and it is certified by the Director of the Office of Selective Service Records or by his proper authorized military representative that the performance of such duty was satisfactory.

(ii) Duty relating to procurement planning and industrial mobilization when certified as satisfactorily performed by the commander of the appropriate major air command, Chief of Staff, United States Air Force, Joint Chiefs of Staff, or Department of Defense agency, or the chief of the supply arm or service, under whose jurisdiction the work is performed.

(iii) Recruiting duty when such activity is authorized by competent military authority and participation is certified as satisfactory by an authorized military representative of the recruiting service.

(iv) Duty in connection with the planning, supervision of training, administration, and supply of the Reserve forces when such duty is authorized by competent authority and satisfactory accomplishment thereof is certified by the officer under whose jurisdiction the duty was performed, and, under similar conditions such other duties as may be authorized from time to time by the Department of the Air Force.

(5) *Competent authority.* Chief of Staff, United States Air Force, and the commanding generals of major air commands. This authority may be redelegated to subordinate commanders.

(b) *Prior to July 1, 1949*, a year of satisfactory Federal service will be considered to be any 365 days, not necessarily consecutive, served (on active duty and/or) as a member of a Reserve component of the Armed Forces as specified in § 865.1 (b) (1).

(c) *On and after July 1, 1949*, a year of satisfactory Federal service will be any year in which a Reservist attains a minimum of 50 points. The number of points earned in a year will be computed as follows:

(1) Fifteen points for being a member of the United States Air Force Reserve, or Air National Guard of the United States other than active Federal service.

(2) One point for attendance at an authorized unit training assembly.

(3) One point for each day of active duty, including extended active duty and active duty training.

(4) One point for accomplishment of an authorized training period.

(5) One point for participation in a period of equivalent training or instruction.

(6) One point for accomplishment of a period of equivalent duty or appropriate duties.

(7) One point for each three hours of extension courses above precommissioning and indoctrination course level satisfactorily completed.

(8) One point for each four hours of flying time performed by rated personnel and recorded on the individual's Form 5, when such flying time is accomplished for the purpose of meeting approved and published minimum maintenance of proficiency requirements for the Reserve forces category to which the individual is assigned. Flying time credited as a point gaining activity for the purpose of the regulations contained in this part need not be accomplished in a continuous period or within any specified period of time.

(9) One point for duty as instructor at:

(i) Authorized unit training assemblies.

(ii) Authorized unit schools.

(iii) Authorized assemblies of military personnel, other than unit training assemblies.

(iv) Air Force Reserve Officers' Training Corps, Army Reserve Officers' Training Corps or Naval Reserve Officers' Training Corps classes.

(v) Civil Air Patrol or Air Scouts of the Boy Scouts of American assemblies pursuant to an authorized course of instruction, when such duty is ordered by competent authority.

*NOTE:* Individuals will not be credited for instructional duty accomplished at an assembly for which he is being credited with attendance. This restriction will not affect credit for preparation.

(10) One point for preparation of each hour of instruction, but not to exceed two points for preparation of any one instruction period. If the subject is presented more than once, additional points will not be credited for subsequent preparation. (See paragraph (e) of this section.)

(11) An aggregate of 60 points maximum only will be credited for one year under subparagraphs (1), (2), (4), (5), (6), (7), (8), (9), and (10) of this paragraph.

(d) A "year" as specified in this section, is defined as follows:

(1) For personnel who on July 1, 1949, were members of a Reserve component of the Armed Forces as specified in § 865.1 (b) (1), the "year" will be computed from July 1st of one year to June 30th of the next year, inclusive.

(2) For persons who enter or re-enter the service after July 1, 1949, the "year" will end on the day preceding the annual anniversary of such entry or re-entry. Renewal of a commission or re-enlistment will not constitute re-entry if such

reappointment or re-enlistment takes place without a break in service.

(e) Not more than one point will be credited (within any one calendar day) to an individual for participation in, or accomplishment of, any of the above point gaining activities, unless the total or aggregate duration of such participation or accomplishment is at least eight hours. For the purpose of complying with this provision, points earned in accordance with subparagraphs (7) and (10) of paragraph (c) of this section, will be credited on days other than those on which credit is given for other types of point gaining activity.

(f) Nothing within the regulations contained in this part will be interpreted to permit simultaneous participation in more than one activity for point gaining purposes. For example: If points are being credited for attendance at a unit training assembly, no points will be credited for flying time in connection with such assembly.

#### § 865.4 Computation of retired pay—

(a) *Minimum number of years of satisfactory service.* The minimum number of years of satisfactory service for retirement on attaining the age of 60 will be computed by adding the number of years specified in § 865.3.

(b) *Computation of points earned for retirement.* (1) The number of points attained for service prior to July 1, 1949, will be computed by adding subdivisions (i) and (ii) of this subparagraph.

(i) The total number of days of active Federal duty (to include active duty for training).

(ii) The number of days spent as a member of a Reserve component other than active duty, divide by 360 and multiply by 50.

(2) The number of points attained for service on and after July 1, 1949, will be computed by adding all points earned in § 865.3 (c) (1) through (10), subject to the limitations of § 865.3 (c) (11).

(c) *Method of computing retired pay.* (1) The number of points obtained in paragraphs (a) (1) and (2) of this section will be added.

(2) The sum obtained in subparagraph (1) of this paragraph will be divided by 360.

(3) The quotient thus obtained will be multiplied by 2½ percent.

(4) The percentage thus obtained will be multiplied by the annual base and longevity pay which the individual would receive if serving at the time granted such pay on active duty in the highest grade (temporary or permanent) satisfactorily held by him during his entire period of service.

(5) Annual rate for retirement will not exceed 75 percent of stated active duty pay.

§ 865.5 *Application.* The Reservist, on attaining his 59th birthday, should make application on NME Form 108. This form may be obtained from the Commanding General of the numbered air force in which the Reservist resides.

[SEAL]

L. L. JUDGE,  
Colonel, U. S. Air Force,  
Air Adjutant General.

[F. R. Doc. 49-9757; Filed, Dec. 6, 1949; 8:47 a. m.]



## TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service,  
Department of the InteriorSubchapter C—Management of Wildlife  
Conservation Areas

## PART 31—PACIFIC REGION

SUBPART—NINEPIPE AND PABLO NATIONAL  
WILDLIFE REFUGES, MONTANA

## FISHING

On October 15, 1949, notice of proposed rule-making regarding proposed revisions of the fishing regulations relating to the Ninepipe and Pablo National Wildlife Refuges, Montana, was published in the *FEDERAL REGISTER* (14 F. R. 6292).

After consideration of all relevant matter regarding the proposed amendment, the following amendments are hereby adopted, to be effective immediately upon publication of this document in the *FEDERAL REGISTER*.

1. Section 31.251 is amended to read as follows:

§ 31.251 *Fishing permitted.* Noncommercial fishing is permitted on the waters of the Ninepipe and Pablo National Wildlife Refuges, Montana, during the daylight hours of the periods from January 1 to the last day of February, inclusive, and from July 15 to December 31, inclusive, in any year, except that fishing is prohibited during the open season for the hunting of migratory birds, in accordance with the laws and regulations of the State of Montana, subject to such regulations as may be prescribed by the Office of Indian Affairs, subject to the regulations in Parts 18 and 21 of this chapter, and subject further to the conditions and restrictions in §§ 31.252 to 31.256. (50 CFR 21.41, 13 F. R. 9351)

2. The following sections are added:

§ 31.255 *Use of boats prohibited.* The use of canoes, boats, or floating devices of any description is prohibited on all waters of these refuges except for official purposes. (50 CFR 21.41, 13 F. R. 9351)

§ 31.256 *Temporary restrictions.* The officer in charge may temporarily suspend fishing in all or parts of the refuge areas by suitable posting when, in his judgment, such action is necessary for the protection of migratory waterfowl, wildlife concentrations, fishes and other aquatic animal life, food and cover plantings for wildlife, or for the carrying out of official operations in such area or areas.

(50 CFR 21.41, 13 F. R. 9351)

Dated: December 1, 1949.

O. H. JOHNSON,  
Acting Director.

[F. R. Doc. 49-9758; Filed, Dec. 6, 1949;  
8:48 a. m.]

## NOTICES

## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

PROCLAMATION ESTABLISHING A RESERVE  
FOR THE NATIVE INHABITANTS OF THE  
VILLAGE OF BARROW, ALASKA

By virtue of the authority vested in the Secretary of the Interior by section 2 of the act of May 1, 1936 (49 Stat. 1250, U. S. C. title 48, sec. 358a), the following described public lands in Alaska are hereby withdrawn from settlement, location, sale, or entry, and reserved to the Native Village of Barrow, Alaska, namely, all that area bounded as follows:

Beginning at a point on the east end of Peard Bay on the Arctic Coast of Alaska, 100 yards west of a cabin, in approximate latitude 70°50' N., longitude 158°20' W.; thence south 2 miles; thence northeasterly following a line parallel to and 2 miles distant from the shore of the Arctic Ocean to a point due east of a point on the shore 2 miles northeasterly of the Village of Sinaru; thence due east to the west shore of Dease Inlet; thence northeasterly, westerly and southwesterly along the shore, at extreme low tide, of Dease Inlet, the Arctic Ocean, and Peard Bay to the point of beginning, together with all rocks and islands within 10 miles of the said shore.

Together with the following area, to be designated as the Barrow Coal Reserve, namely, all that area bounded as follows:

Beginning at a point one mile north of a point on the west bank of the Meade River about 10 miles south of the big bend of that river and opposite the Eskimo village site of Atkasuk, at approximate longitude 157°6' W., latitude 70°30' N., thence one mile east, thence two miles south, thence two miles west, thence two miles north, thence one mile east to the point of beginning.

The foregoing order is estimated to cover approximately 750 square miles.

All oil and gas deposits underlying the

lands withdrawn by this order are reserved to the United States.

This order shall be subject to the following prior withdrawals:

(1) Executive Order of May 4, 1907, reserving an area at Barrow for school purposes, now designated as U. S. Survey No. 2244, embracing 8.96 acres.

(2) Executive Order No. 3797-A of February 27, 1923, establishing a naval petroleum reserve, as amended by Public Land Order No. 289 of July 20, 1945.

(3) Executive Order No. 6132 of May 15, 1933, which withdrew 14.1 acres of land at Point Barrow for use as a radio station by the War Department.

(4) Public Land Order No. 151 of July 19, 1943, which withdrew 1.7 acres of land near Barrow as Air Navigation Site No. 205 for the use of the Civil Aeronautics Administration, Department of Commerce.

This order shall be further subject to any valid existing rights or claims acquired prior to the date hereof and shall become effective only upon its approval by a majority vote of the natives residing in the above-described area, voting in the manner prescribed in the said section 2 of the act of May 1, 1936.

This order is also subject to the condition that a relinquishment be filed with the United States by duly authorized representatives of the native inhabitants of the Village of Barrow, acting in their behalf, relinquishing all claims of said villagers or any clans, families or subdivisions thereof to present possessory rights to lands outside the area herein reserved.

This proclamation shall in no way impair the right of the Natives of the Village of Barrow, through their municipal organization or otherwise, to manage their own economic and political affairs and otherwise to exercise all rights of citizenship.

Done in the city of Washington, D. C., this 30th day of November 1949.

J. A. KRUG,  
Secretary of the Interior.

[F. R. Doc. 49-9754; Filed, Dec. 6, 1949;  
8:45 a. m.]

ORDER DESIGNATING RESERVATION FOR THE  
INDIANS OF HYDABURG, ALASKA

Pursuant to the authority vested in the Secretary of the Interior by section 2 of the act of May 1, 1936 (49 Stat. 1250, 48 U. S. C., 1946 ed., sec. 358a), it is ordered that the following described area, including the town reserve established for the native village of Hydaburg by Executive Order 4712 (August 30, 1927), shall be, and the same hereby is, designated as a reservation for the use and occupancy of the Indians of Hydaburg, Alaska:

Beginning at a point at the head of Soda Bay, approximate latitude 55°17' N., longitude 132°55' W.; from the initial point, at lowest low tide, westerly along the line of lowest low tide on the south shore of Soda Bay to a point opposite Halibut Nose; southeasterly along the line of lowest low tide on the north shore of North Pass and the east shore of Sukkwan Strait to Eek Point; northerly along the line of lowest low tide on the west shore of Hetta Inlet to a point one mile above Deer Bay; northerly and westerly along the divide at the head of the drainage into Sukkwan Strait and North Pass to the point of beginning; and Sukkwan Island; and including the rocks and islets within 3,000 feet from such shores; and further including all lakes within the foregoing areas, all inlets where the distance from shore to shore is less than 1,000 feet, all streams, and the waters within 500 yards of the mouth of each such stream as defined pursuant to the act of April 16, 1934 (48 Stat. 594, 48 U. S. C., 1946 ed., secs. 232, 233); and also including the waters and submerged lands adjacent to such uplands and extending 3,000 feet from the shore line at mean low tide; and also including the cemetery on island



outside of Hunter Bay, Prince of Wales Island, the cemetery on center island between Howkan and Dall Island, the cemetery on east side of Sukkwan Narrows, Sukkwan Island, the cemetery on south end of Jackson Island, south of Sukkwan Island, the cemetery at Klinkwan, Prince of Wales Island, the cemetery at Howkan, Long Island, and the cemetery at Cape Muzon, Dall Island, the exact boundaries of each cemetery site to be determined at the time of survey by the Bureau of Land Management and the cemetery sites not to exceed in the aggregate 160 acres: *Provided, however,* That any patented lands are excluded from the reservation designated in this order: *And provided, further,* That if the Supreme Court of the United States shall decide in the pending case of *Frank Hynes v. Grimes Packing Co., et al.* that waters and submerged lands below low tide cannot properly be reserved for Alaskan natives under section 2 of the act of May 1, 1936, *supra*, the phrase "and also including the waters and submerged lands adjacent to such uplands and extending 3,000 feet from the shore line at mean low tide" in this order shall be ineffective.

This order shall be subject to any valid existing rights or claims acquired prior to the date hereof and shall become effective only upon its approval by a majority vote of the natives residing in the above-described area, voting in the manner prescribed in the said section 2 of the act of May 1, 1936, and upon the following conditions:

(1) That a stipulation be filed in the Court of Claims by the plaintiffs in the pending suit of the Tlingit and Haida Tribes against the United States, withdrawing all claims of the said tribes or either of them or any town, village, community, land, clan, family, or other subdivisions of either of the plaintiff tribes, to a present possessory interest outside of the area herein reserved and within an area of approximately 905,000 acres hitherto claimed by the natives of the Village of Hydagurg, which area is more specifically described in the petition of the said natives filed with the Secretary of the Interior on June 28, 1944 and amended on September 18, 1944.

(2) That in the interest of conservation and the coordination of timber development in Southeastern Alaska, all commercial disposition of standing timber within the Hydagurg town reserve shall be subject to regulations of the Forest Service of the Department of Agriculture, reserving however to the natives the right to all revenues derived from the sale or disposition of such timber.

This proclamation shall in no way impair the right of the natives of Hydagurg, through their municipal organization or otherwise, to manage their own economic and political affairs and otherwise to exercise all rights of citizenship.

Done in the city of Washington, D. C., this 30th day of November 1949.

J. A. KRUG,  
Secretary of the Interior.

[F. R. Doc. 49-9755; Filed, Dec. 6, 1949; 8:47 a. m.]

**PROCLAMATION ESTABLISHING A RESERVE FOR THE INHABITANTS OF THE NATIVE VILLAGES OF SHUNGNAK AND KOBUK, ALASKA, AND VICINITY**

Pursuant to the authority vested in the Secretary of the Interior by section 2 of

the act of May 1, 1936, 49 Stat. 1250 (U. S. C. title 48, sec. 358a), the following described public lands hereinafter designated Area (A), excepting therefrom the lands hereinafter designated Area (B) only to the extent necessary to permit location under the mining laws, are hereby reserved for the exclusive use and occupancy of the native inhabitants of the Villages of Shungnak and Kobuk, Alaska, and vicinity:

**Area A.** Beginning at a point on the right bank of the Kobuk River one mile below the mouth of the Ambler River, in approximate latitude 67°05' N., longitude 157°53' W.; thence north 12 miles; thence east, crossing the Ambler, the Shungnak and the Kogoluktuk Rivers to longitude 156° N.; thence south to latitude 67° N.; thence east to longitude 155°30' W.; thence south to the left bank of the Kobuk River; thence west to longitude 156° W.; thence south to latitude 66°30' N.; thence west approximately 13.5 miles to the divide between the headwaters of the Selawik and Pah Rivers; thence in northwesterly courses, along the summit of foresaid divide, to the summit of the divide between the Selawik and Pick Rivers; thence along the summit of this divide to the left bank of the Kobuk River; thence down stream, with the left bank of the Kobuk River, to a point due south of the place of beginning; thence north, crossing the Kobuk River, to the point of beginning; enclosing an area of approximately 2,300 square miles.

**Area B.** Beginning at a point on the left bank of the Shungnak River at the crossing of the winter trail of an approximate latitude 66° 59' N.; thence east 17 miles to the right bank of the Kogoluktuk River; thence upstream along said bank to the mouth of Riley Creek, thence along the left bank of Riley Creek to the confluence of Riley and Ryan Creeks; thence north 1.5 miles; thence west approximately 11.5 miles to the right bank of the Shungnak River; thence downstream with said bank to a point due west

of the place of beginning; thence east across the Shungnak River to the place of beginning, enclosing an area of approximately 88 square miles, provided, that free ingress and egress shall be permitted at all times for the above described excluded area along a right-of-way, 150' in width, which shall commence on the left bank of the mouth of the Shungnak River; thence in a northerly direction touching the more easterly meanderings of the left bank of said river, until it shall reach the point of intersection of the winter trail and the south boundary of the above described lands excluded from Area (A).

This order shall be subject to any valid existing rights or claims acquired prior to the date hereof and shall become effective only upon its approval by a majority vote of the natives residing in the above-described area, voting in the manner prescribed in the said section 2 of the act of May 1, 1936, and upon the following condition: That the acceptance of this reserve by the native inhabitants of Shungnak and Kobuk Villages voting in the manner prescribed in the said section 2 of the act of May 1, 1936 shall constitute a relinquishment by the said villages or any clan, family or subdivision thereof, to present possessory interests to lands outside the reserve described herein.

This Proclamation shall in no way impair the right of the natives of Shungnak and Kobuk Villages, to manage their own economic and political affairs and otherwise to exercise all rights of citizenship.

Done in the city of Washington, D. C., this 30th day of November 1949.

J. A. KRUG,  
Secretary of the Interior.

[F. R. Doc. 49-9756; Filed, Dec. 6, 1949; 8:47 a. m.]

**FEDERAL COMMUNICATIONS COMMISSION**

[Docket Nos. 7694, 7817, 7906, 7962, 8364, 8911, 8912]

NORTHERN CORP. ET AL.

NOTICE OF ORAL ARGUMENT

Beginning at 10:00 o'clock a. m. on Monday, January 9, 1950, the Commission will hear oral argument in Room 6121, on the following matters in the order indicated:

**ARGUMENT NO. 1**

Docket No.			
8911	WMEX.	The Northern Corp., Boston,	Renewal of license.
BR-833		Mass.	
8912	WMEX.	do.	Transfer of control.
BTC-588			

**ARGUMENT NO. 2**

7694	New.....	Leon Wyszatycki, d/b as	C. P. ....	1540 kc 5 kw day, daytime only.
B5-P-4822		Huntington Broadcasting Co.,		
		Huntington Park, Calif.		
7962	New.....	San Gabriel Valley Broadcast-	C. P. ....	1540 kc 5 kw DA, daytime only.
B5-P-5425		ing Co., Monrovia, Calif.		
7817	New.....	Coast Radio Broadcasting	C. P. ....	1540 kc 5 kw, daytime only.
B5-P-5095		Corp., Los Angeles, Calif.		

**ARGUMENT NO. 3**

7906	New.....	UAW-CIO Broadcasting Corp.	C. P. ....	680 kc 250 w, daytime.
B2-P-5358		of Michigan, Detroit, Mich.		
8364	WCAR...	WCAR, Inc., Detroit, Mich.	C. P. to change power	1130 kc 10 kw night, 10 kw
BP-5971			hours, install new	day, DA-2, unlimited.
			transmitter and	
			DA-2.	

Dated: November 28, 1949.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 49-9785; Filed, Dec. 6, 1949; 8:55 a. m.]



[Docket Nos. 8049, 8397, 8479 8521, 8584, 8928, 9203]

KOOS, INC., ET AL.

## NOTICE OF ORAL ARGUMENT

Beginning at 10:00 o'clock a. m. on Tuesday, December 20, 1949, the Commission will hear oral argument in Room 6121, on the following matters in the order indicated:

## ARGUMENT No. 1

Docket No.				
8049 BP-P-5177	KOOS....	KOOS, Inc., Coos Bay, Oreg....	C. P. to change frequency, increase power, install new transmitter, etc.	630 kc 1 kw night, 1 kw day, DA-1, unlimited.
8397 BP-P-5017	KIDO....	KIDO, Inc., Boise, Idaho.....	C. P. to increase power, install new transmitter, etc.	630 kc 5 kw night, 5 kw day, DA-2, unlimited.

## ARGUMENT No. 2

8521 BP-6327	WTOC....	Savannah Broadcasting Co., Savannah, Ga.	C. P. to change frequency, hours, increase power, etc.	690 kc 10 kw DA-night, 10 kw day, unlimited.
8584 BP-6222	New.....	William J. Brennan, Cyril G. Brennan, Daniel M. Brennan, and James F. Brennan d/b as Brennan Broadcasting Co., Jacksonville, Fla.	C. P. ....	690 kc 25 kw DA-night, 25 kw day, unlimited.

## ARGUMENT No. 3

8479 BML-1256	WHOM..	Atlantic Broadcasting Co., Inc., Jersey City, N. J.	Modification of license..	1480 kc 500 w night, 1 kw day, unlimited.
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## ARGUMENT No. 4

8928 BP-6661	New.....	Metropolitan Broadcasting Co., Alamo Heights, Tex.	C. P. ....	1240 kc 250 w night, 250 w day, unlimited.
9203 BP-7039	New.....	St. Mary's University Broadcasting Corp., San Antonio, Tex.	C. P. ....	1240 kc 250 w night, 250 w day, unlimited.

Dated: November 28, 1949.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 49-9783; Filed, Dec. 6, 1949; 8:55 a. m.]

[Docket Nos. 8239, 8240, 8846, 9162, 9166, 9170]

CONNECTICUT ELECTRONICS CORP. ET AL.

## NOTICE OF ORAL ARGUMENT

Beginning at 10:00 o'clock a. m. on Friday, January 6, 1950, the Commission will hear oral argument in Room 6121, on the following matters in the order indicated:

## ARGUMENT No. 1

Docket No.				
8239 B1-P-5375	New.....	The Connecticut Electronics Corp., Bridgeport, Conn.	C. P. ....	740 kc 1 kw daytime.
8240 BP-5899	New.....	Weston Broadcasting Corp., White Plains, N. Y.	C. P. ....	740 kc 1 kw day, DA daytime.
8846 BP-6595	New.....	Huntington-Montauk Broadcasting Co., Inc., Huntington, N. Y.	C. P. ....	740 kc 1 kw day, DA daytime.

ARGUMENT No. 2  
(Beginning at 11:45 a. m.)

9162	-----	In the matter of Revocation of license of Station W1BS, Santurce, P. R. (Jose E. Del Valle).	-----	-----
9170 BMPCT-318	WRTV....	Maison Blanche Co., New Orleans, La.	Modification of C.P. ....	For television facilities.
9166 BP-7049	WILK....	Wyoming Valley Broadcasting Co., Wilkes Barre, Pa.	C. P. to change frequency, increasing power, etc.	980 kc 1 kw night, 5 kw day, DA-2 unlimited.

Dated: November 28, 1949.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,  
T. J. SLOWIE,  
Secretary.

[F. R. Doc. 49-9784; Filed, Dec. 6, 1949; 8:55 a. m.]

[Docket Nos. 9410, 9411]

BLUE BONNET BROADCASTING CORP.  
(KCNC) AND JAMES H. SLIGAR

## ORDER CONTINUING HEARING

In re applications of Blue Bonnet Broadcasting Corp. (KCNC), Fort Worth, Texas, Docket No. 9410, File No. BP-5922; James H. Sligar, Wichita Falls, Texas, Docket No. 9411, File No. BP-7029; for construction permits.

The Commission having under consideration a motion filed November 18, 1949, by Blue Bonnet Broadcasting Corporation in which it was requested that the hearing in the above-entitled proceeding be continued for a period of at least 60 days from December 1, 1949; and

It appearing that additional time is needed in order to give Blue Bonnet Broadcasting Corporation additional time in which to take field intensity measurements and to make engineering studies with respect to interference problems and that such studies cannot be started before January 1, 1950; notice of such motion having been served to all parties to the proceeding, and no opposition having been filed thereto;

It is ordered, this 28th day of November, 1949, that the above-mentioned motion for continuance, filed by Blue Bonnet Broadcasting Corporation, be and it is hereby granted, and the hearing on the above-entitled applications now scheduled to begin on December 1, 1949, is continued to February 20, 1950, at 10:00 a. m., in the offices of the Commission at Washington, D. C.

FEDERAL COMMUNICATIONS  
COMMISSION,  
T. J. SLOWIE,  
Secretary.

[SEAL]

[F. R. Doc. 49-9782; Filed, Dec. 6, 1949; 8:55 a. m.]

[Docket No. 9484]

HOUSTON COX, JR., ET AL.

## ORDER CONTINUING HEARING

In re application of Houston Cox, Jr., M. L. Rosenzweig and S. L. Rosenzweig (Transferors), Dr. William T. Watson (Transferee), Clearwater Broadcasting Company, Inc. (Licensee), Docket No. 9484, File No. BTC-786; for consent to transfer of control of licensee company (WCLE).

The Commission having under consideration (1) a petition filed on November 17, 1949, by its General Counsel, requesting that the hearing now scheduled to be held on the above-entitled application, on December 12, 1949, at Clearwater, Florida, be continued indefinitely, for the reason that petitioner is informed that the parties contemplate requesting a dismissal of the said application; and (2) an opposition to such petition submitted on behalf of Houston Cox, Jr., M. L. Rosenzweig and S. L. Rosenzweig, Transferors, and Clearwater Broadcasting Company, Inc. (WCLE); and

It appearing, that, during the oral argument which was held in this matter, counsel for the opposing parties advanced no convincing reasons to support their



position, but indicated that he is in the course of preparing on behalf of the said parties, a motion to dismiss the above-entitled application, the same being collateral to the sole question in issue, namely, whether the hearing should be continued; and

It further appearing, that, in view of the foregoing, an indefinite continuance of the above hearing, pending the filing and disposition of the said petition to dismiss, could in no manner adversely affect the rights of any of the parties to this proceeding;

It is ordered, This 28th day of November 1949, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled application be, and it is hereby, continued until further notice.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 49-9781; Filed, Dec. 6, 1949;  
8:55 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-1244]

HOME GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

DECEMBER 1, 1949.

Notice is hereby given that, on November 30, 1949, the Federal Power Commission issued its findings and order entered November 29, 1949, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-9759; Filed, Dec. 6, 1949;  
8:48 a. m.]

[Docket No. G-1257]

CENTRAL HUDSON GAS & ELECTRIC CORP.  
NOTICE OF FINDINGS AND ORDER ISSUING  
CERTIFICATE OF PUBLIC CONVENIENCE AND  
NECESSITY

DECEMBER 1, 1949.

Notice is hereby given that, on November 30, 1949, the Federal Power Commission issued its findings and order entered November 29, 1949, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 49-9760; Filed, Dec. 6, 1949;  
8:48 a. m.]

## HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

ORGANIZATION DESCRIPTION, INCLUDING  
DELEGATIONS OF FINAL AUTHORITY

Section IV (d) of the organization description, including delegations of final authority (14 F. R. 3420, June 23, 1949, as amended 14 F. R. 5548, September 9,

1949) is hereby amended to read as follows:

SEC. IV. Office of the Administrator, Housing and Home Finance Agency; organization description and delegations of final authority.

(d) Designation of Acting Administrator. Pursuant to the provisions of Reorganization Plan No. 3 of 1947, the Housing Act of 1949, and Public Law 600, 79th Congress, the officials of the Housing and Home Finance Agency hereinafter named and in the order in which they are named are hereby designated to act in the place and stead of the Housing and Home Finance Administrator with the title of "Acting Administrator" with all the powers, duties, and rights conferred upon the said Administrator by Reorganization Plan No. 3 (61 Stat. 954), the Housing Act of 1948 (62 Stat. 1283), the Housing Act of 1949 (63 Stat. 413), the Lanham Act (54 Stat. 1125, as amended, 42 U. S. C. Sup. 1521), the Alaska Housing Act (63 Stat. 57), and any other act of Congress or Executive Order, in the event of the absence, illness, or inability of the Administrator to act, and all such powers, duties, and rights are hereby delegated to such officials in such order and for such period as the Administrator may be absent from Washington, D. C., or unable to perform his official functions.

The following named officials, and designated in the following order, shall have authority to act as "Acting Administrator," but no official shall have authority to act as "Acting Administrator" unless all those whose names appear before his are absent from their official posts and unable to act:

- (1) B. T. Fitzpatrick, Deputy Administrator and General Counsel.
- (2) Lewis E. Williams, Assistant Administrator (Administration).
- (3) Neal J. Hardy, Assistant Administrator (Operations Analysis).

Issued this 7th day of December 1949.

RAYMOND M. FOLEY,  
Administrator.

[F. R. Doc. 49-9774; Filed, Dec. 6, 1949;  
8:53 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24702]

HYPOCHLORITE SOLUTION OF SODIUM FROM  
CHICAGO TO CEDAR RAPIDS, IOWA

APPLICATION FOR RELIEF

DECEMBER 2, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent for and on behalf of carriers parties to his tariff I. C. C. No. A-3635.

Commodities involved: Hypochlorite solution of sodium, carloads.

From: Chicago, Ill., and points taking the same rates.

To: Cedar Rapids, Iowa.

Grounds for relief: Circuitous routes and competition with motor carriers.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3635, Sup. No. 66.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 49-9772; Filed, Dec. 6, 1949;  
8:53 a. m.]

[4th Sec. Application 24703]

SULPHURIC ACID FROM PELHAM, GA., TO  
SOUTH

APPLICATION FOR RELIEF

DECEMBER 2, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1029.

Commodities involved: Sulphuric acid, tank-car loads.

From: Pelham, Ga.

To: Points in Alabama, Florida, Georgia, Louisiana and South Carolina.

Grounds for relief: Competition with rail carriers, circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 49-9771; Filed, Dec. 6, 1949;  
8:52 a. m.]



[4th Sec. Application 24704]

KYANITE FROM CLOVER, S. C., TO LANSDALE, PA.

## APPLICATION FOR RELIEF

DECEMBER 2, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for Carolina and Northwestern Railway Company and other carriers.

Commodities involved: Kyanite, crude or ground (not pulverized), carloads.

From: Clover, S. C.

To: Lansdale, Pa.

Grounds for relief: Competition with rail carriers, circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 49-9770; Filed, Dec. 6, 1949;  
8:52 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2399]

STATE OF SAN PAULO

## NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 1st day of December A. D. 1949,

The New York Stock Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to strike from registration and listing the Fifteen-Year 8% Sinking Fund Gold Bonds External Loan of 1921, due January 1, 1936 "Unstamped", of State of San Paulo.

The application alleges that (1) holders of the above security have been offered the option to elect to accept the provisions of either one or the other of two plans, designated as "Plan A" and "Plan B", respectively; (2) Plan A provides for reduction in the interest rate to 2.5% per annum, for a cumulative sinking fund and for extension of the maturity of the original bonds to July 1,

1999; (3) Plan B provides that, in exchange for each \$1,000 principal amount of original bonds, the bondholder would receive a cash payment of \$175 and new 3 3/4% External Dollar Bonds of 1944 of the United States of Brazil in the principal amount of \$500; (4) the fiscal agent has reported to the applicant Exchange that of the \$2,414,000 principal amount of the above security of the State of San Paulo outstanding at the time of the offer, \$1,257,000 have been stamped in acceptance of Plan A, and \$960,000 have been surrendered for exchange under Plan B, leaving outstanding \$197,000 of original bonds of the State of San Paulo; (5) the reason for the proposed striking of this security from registration and listing on the applicant Exchange is that in the opinion of the Exchange the outstanding amount thereof has been so reduced as to make further dealings therein on the Exchange inadvisable; and (6) the rules of the New York Stock Exchange with respect to striking a security from registration and listing have been complied with.

Upon receipt of a request, prior to January 5, 1950, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms or conditions. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application, and other information contained in the official file of the Commission pertaining to this matter.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 49-9769; Filed, Dec. 6, 1949;  
8:51 a. m.]

[File No. 54-179]

NATIONAL GAS &amp; ELECTRIC CORP. ET AL.

## ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 30th day of November A. D. 1949.

In the matter of National Gas & Electric Corporation, National Gas & Oil Corporation, and National Utilities Company of Michigan. File No. 54-179.

National Gas & Electric Corporation ("National"), a registered holding company, and its subsidiaries, National Gas & Oil Corporation ("Gas & Oil") and National Utilities Company of Michigan ("Michigan"), having filed applications and amendments thereto with this Commission pursuant to section 11 (e) of the

Public Utility Holding Company Act of 1935 for approval of certain transactions proposed in a plan, as amended, ("Plan") designed to effect compliance by National's holding company system with the requirements of section 11 (b) of the act; and

Said Plan having proposed, among other things, the reclassification of the common stocks of Michigan and of Gas & Oil, the distribution of the new common stocks of those two companies among the security holders of National, and the merger of National into Gas & Oil; and

Applicants having requested that the order approving the Plan contain recitals to conform to certain requirements of the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof; and

The Commission having been requested by the applicants, upon its approval of the Plan to apply to an appropriate District Court of the United States for an order approving and enforcing said Plan; and

Public hearings having been held in respect of said applications after appropriate notice, the Commission having considered the record, and having made and filed its findings and opinion herein;

It is ordered, Pursuant to section 11 (e) of the act, that said Plan, as amended, be, and it hereby is, approved as necessary to effectuate the provisions of section 11 (b) of the act and as fair and equitable to the persons affected thereby.

It is further ordered, That Gas & Oil pay the expenses incurred in connection with the Plan estimated in the amount of \$18,000.

It is further ordered, That the jurisdiction of the Commission be reserved with respect to the payment by Gas & Oil of all fees and expenses of counsel incurred in connection with the Plan.

It is further ordered, That this order shall not be operative to authorize the consummation of the transactions proposed in said Plan until an appropriate District Court of the United States, upon application thereto, enters an order enforcing the Plan.

It is further ordered and recited, That the following transactions are necessary or appropriate to the integration or simplification of the holding company system of which National, Gas & Oil, and Michigan are members and to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The contribution by National to Michigan of assets aggregating \$100,000, consisting of an account receivable due from one C. A. Runyan and cash in an amount equal to the difference between the sum of \$100,000 and the balance due on said account receivable at the time of said contribution.

2. The issuance by Michigan to National of 222,436.277 shares of the new common stock of Michigan of the par value of \$1.00 per share, pursuant to the Plan, in exchange for the 22,000 shares of no par value common stock of Michigan presently outstanding and surrender of such presently outstanding shares for cancellation.



3. The merger of National into Gas & Oil pursuant to an Agreement of Merger in accordance with applicable law, with Gas & Oil, being the surviving corporation, with an authorized capitalization of 450,000 shares of common stock of the par value of \$5.00 per share, and the transfer and conveyance to Gas & Oil of all of the assets of National and the assumption by Gas & Oil of all of the indebtedness, liabilities and obligations of National.

4. The issuance by Gas & Oil of 444,872.554 shares of common stock of the par value of \$5.00 per share and the surrender by National to Gas & Oil for cancellation of all of the presently outstanding common stock of Gas & Oil amounting to 6,460 shares, par value \$100 per share.

5. The issuance, delivery, exchange, distribution and transfer to the holders of the common stock (and scrip certificates representing fractional shares) of National, and to the holders of Prior Reorganization Plan Securities entitled to receive shares of common stock of National, in respect of each share held one (1) share of new common stock of Gas & Oil and one-half ( $\frac{1}{2}$ ) share of new common stock of Michigan, and the surrender of such presently outstanding shares of common stock (and scrip certificates representing fractional shares) of National and Prior Reorganization Plan Securities of National by the holders thereof for cancellation.

6. The issuance by Michigan of scrip certificates in lieu of fractional shares of common stock of Michigan of the par value of \$1.00 per share and the acquisition of such scrip certificates by the persons entitled to receive the same pursuant to the Plan.

7. The issuance by Gas & Oil of scrip certificates in lieu of fractional shares of common stock of Gas & Oil of the par value of \$5.00 per share and the acquisition of such scrip certificates by the persons entitled to receive the same pursuant to the Plan.

8. The issuance of the shares of common stock and the scrip certificates to be issued by Michigan and Gas & Oil in accordance with the Plan to exchange agents and the transfer of such shares of common stock and scrip certificates by exchange agents to the persons entitled thereto in accordance with the Plan.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 49-9766; Filed, Dec. 6, 1949;  
8:50 a. m.]

[File No. 70-2248]

COLUMBIA GAS SYSTEM, INC., AND CUMBERLAND AND ALLEGHENY GAS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 30th day of November 1949.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and its subsidiary, Cumberland and Allegheny Gas Company ("Cumberland"), having filed a joint application-declaration, and an amendment thereto, pursuant to the provisions of sections 6 (b), 9, 10 and 12 of the Public Utility Holding Company Act of 1935 and Rules U-42, U-43, U-44 and U-45 promulgated thereunder with respect to the following proposed transactions:

Cumberland proposes to amend its Articles of Incorporation so as to increase its presently authorized capital stock from \$2,500,000 consisting of 100,000 shares of common stock with a par value of \$25 each to \$5,000,000 consisting of 200,000 shares of common stock with a par value of \$25 each.

Cumberland further proposes to adopt a plan of recapitalization pursuant to which Columbia will exchange \$1,800,000 principal amount of First Mortgage Bonds of Cumberland due December 1, 1949, for 72,000 shares of common stock, having an aggregate par value of \$1,800,000 of Cumberland.

It is further proposed that Columbia and Cumberland will enter into a supplemental interest agreement whereby Columbia will agree to accept an amount as the interest on the  $3\frac{1}{4}\%$  notes of Cumberland which it presently holds or may hereafter hold so that the average interest paid by Cumberland on all its debt obligations held by Columbia will not exceed  $3\frac{1}{4}\%$ .

The Public Service Commission of West Virginia by order dated November 22, 1949 authorized the proposed recapitalization of Cumberland.

Said joint application-declaration having been filed on October 13, 1949 and the amendment thereto having been filed on November 25, 1949, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said joint application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said joint application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said joint application-declaration be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that the said joint application-declaration be, and hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 49-9765; Filed, Dec. 6, 1949;  
8:50 a. m.]

[File No. 70-2266]

ATTLEBORO STEAM AND ELECTRIC CO. ET AL.

ORDER GRANTING APPLICATIONS

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 29th day of November A. D. 1949.

In the matter of Attleboro Steam and Electric Company, Central Massachusetts Electric Company, Gardner Electric Light Company, Granite State Electric Company, The Lowell Electric Light Corporation, Worcester Suburban Electric Company, New England Power Company, and Worcester County Electric Company, File No. 70-2266.

Attleboro Steam and Electric Company ("Attleboro"), Central Massachusetts Electric Company ("Central"), Gardner Electric Light Company ("Gardner"), Granite State Electric Company ("Granite"), The Lowell Electric Light Corporation ("Lowell"), Worcester Suburban Electric Company ("Worcester Suburban"), New England Power Company ("NEPCO") and Worcester County Electric Company ("Worcester County"), all subsidiaries of New England Electric System ("NEES"), a registered holding company, having filed separate applications and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-23 promulgated thereunder, with respect to the following transactions.

Granite and Lowell propose to issue, from time to time but not later than November 30, 1949, additional unsecured promissory notes, due May 31, 1951. Attleboro, Central, Worcester Suburban, NEPCO, and Worcester County propose to issue, from time to time but not later than December 31, 1949, additional unsecured promissory notes, due May 31, 1951. Applicant's notes presently outstanding and proposed to be issued together with total notes to be outstanding are shown in the following table:

Name	Presently outstanding	Proposed to be issued	Total to be outstanding
Attleboro.....	\$280,000	\$50,000	\$330,000
Central.....	800,000	100,000	900,000
Gardner.....	450,000		450,000
Granite.....	158,000	170,000	328,000
Lowell.....	1,850,000	100,000	1,950,000
Worcester Suburban.....	1,900,000	50,000	1,950,000
NEPCO.....	800,000	3,000,000	3,800,000
Worcester County.....	2,400,000	1,050,000	3,450,000
Total.....	8,638,000	4,520,000	13,158,000



The notes are to be issued pursuant to bank loan agreements dated April 30, 1948 entered into by the applicants and certain other subsidiaries of NEES (as described in Holding Company Act Release No. 8253) some of which agreements were modified January 27, 1949. Proposed additional modifications, dated October 20, 1949 and applicable to the loan agreements of certain of the applicant companies, are described below:

The interest rates applicable to the borrowings by NEPCO and Worcester County are to be changed to 2 1/4% per annum rather than an amount which depended on the rediscount rate of the Federal Reserve Bank of New York.

NEPCO and Worcester County propose to issue new promissory notes in exchange for the presently outstanding promissory notes to evidence this change in interest rate.

The period during which borrowings may be made under the bank loan agreements of all the applicants except Granite and Lowell is to be extended from November 30, 1949 to December 31, 1950. The commitment fee is to change to 1/2 of 1% per annum on the average daily unborrowed balance of all applicants except Granite and Lowell. The only other significant change in the loan agreements is to be in the amount of credit which will be available and is shown in the following table:

Name	Notes to be outstanding	Additional borrowings permitted by new loan agreements	Total
Attleboro.....	\$330,000	\$170,000	\$500,000
Central.....	900,000	600,000	1,500,000
Gardner.....	450,000	200,000	650,000
Granite.....	328,000		328,000
Lowell.....	1,950,000		1,950,000
Worcester Suburban.....	1,950,000	450,000	2,400,000
NEPCO.....	3,800,000	6,700,000	10,500,000
Worcester County.....	3,450,000	3,050,000	6,500,000
Total.....	13,158,000	11,170,000	24,328,000

The issuing companies have agreed to reduce the amount of bank notes outstanding to the extent of any permanent financing, except indebtedness to NEES, and to reduce the amount of bank notes authorized by this Commission but not issued prior to such financing to the extent of the excess of such financing over the amount of notes then outstanding.

The applications state that the Companies proposing to issue additional unsecured promissory notes will use the proceeds therefrom to replenish any depletion of working capital occasioned by the construction of property already in

progress and to finance proposed construction through December 31, 1949.

Incidental services in connection with the notes proposed to be issued will be performed by New England Power Service Company, an affiliated service company, at the actual cost thereof. The applicant companies also propose to reimburse the agent for the lending banks for out-of-pocket expenses, including counsel fees incurred in connection with the new bank letter agreements. The estimated amounts of the expenses to be incurred in connection with the issuance of the additional unsecured promissory notes are set forth below:

Name	Services of New England Power Service Co.	Reimbursement to agent including counsel fees	Miscellaneous	Total
Attleboro.....	\$200	\$50	\$75	\$325
Central.....	200	50	75	325
Gardner.....	200	50	75	325
Granite.....	100		25	125
Lowell.....	100		25	125
Worcester Suburban.....	200	50	75	325
NEPCO.....	500	300	75	875
Worcester County.....	300	250	75	625
Total.....	1,800	750	600	3,050

The Department of Public Utilities of the Commonwealth of Massachusetts has approved the proposed issue of notes by Attleboro, Central, Lowell, Worcester Suburban, NEPCO and Worcester County. The Public Service Commission of the State of New Hampshire has approved the proposed issue of notes by Granite. The Public Service Commission of the State of New Hampshire and the Vermont Public Service Commission have approved the proposed issue of notes by NEPCO.

It is requested that the order of the Commission herein be made effective forthwith upon issuance.

Said applications having been filed on November 2, 1949, and the last amendment thereto having been filed on November 28, 1949, and notice of said filing having been duly given in the form and manner prescribed by said Rule U-23, and the Commission not having received a request for hearing with respect to said applications, as amended, within the time specified in said notice or otherwise and not having ordered a hearing thereon; and

The Commission finding, with respect to said applications, that the requirements of the applicable provisions of the act and the rules promulgated thereun-

der are satisfied; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said applications, as amended, be granted forthwith:

It is ordered, Pursuant to Rule U-23 and subject to the terms and conditions prescribed in Rule U-24, that said applications, as amended, be, and the same hereby are, granted forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-9767; Filed, Dec. 6, 1949;  
8:50 a. m.]

[File No. 70-2270]

NEW ENGLAND PUBLIC SERVICE CO.

#### NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 1st day of December A. D. 1949.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the Act") by New England Public Service Company ("NEPCO"), a Maine corporation which is a registered holding company and a direct subsidiary of Northern New England Company, also a registered holding company. The declarant designates section 12 (d) of the act and Rules U-23, U-24, and U-44 promulgated thereunder as applicable to the proposed transaction.

All interested persons are referred to said declaration on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Pursuant to a contract dated September 22, 1949, Public Service Company of New Hampshire ("Public Service"), an operating public-utility company and subsidiary of NEPCO, proposes for a cash consideration of \$154,415 to sell and convey to Granite State Electric Company ("Granite State"), a non-affiliated public-utility company and a subsidiary of New England Electric System, a registered holding company, all the properties and franchises of Public Service used or useful in the operation of its business in the Enfield-Canaan District to the extent located or exercised in the Towns of Enfield, Canaan, Orange, Hanover and Grafton in the State of New Hampshire. Adjustments will be made at closing for certain property changes since December 31, 1948.

The accounting entries by which Public Service proposes to reflect the transaction on its books indicate that the sale price is for the same amount as the said properties are now stated on its books, less the depreciation reserve applicable thereto.

The declaration further states that the properties and franchises to be sold constitute an isolated distribution system not electrically connected with the system of Public Service, and that said facilities are electrically connected with the system of Granite State, which now supplies the electric energy therefor.



Counsel of Public Service state that the Public Service Commission of New Hampshire has jurisdiction over the transfer of said properties and franchises and that the necessary petitions for approval thereof have been filed with said Commission.

Fees for legal services in behalf of Public Service are estimated at \$950. No other fees or commission will be paid by Public Service or NEPSCO.

The declarant requests that the order of the Commission be made effective forthwith upon issuance.

Notice is further given that any interested person may, not later than December 15, 1949 at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 49-9768; Filed, Dec. 6, 1949;  
8:51 a. m.]

## UNITED STATES MARITIME COMMISSION

PACIFIC/WEST COAST OF SOUTH AMERICA CONFERENCE ET AL.

NOTICE OF AGREEMENTS FILED WITH THE COMMISSION FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended:

Agreement 4630-8, between the member lines of the Pacific/West Coast of South America Conference, modifies the basic agreement of that Conference (No. 4630), (a) to provide that there shall be no absorption or equalization of insurance differentials as between vessels of the member lines or other carriers, except such as may be approved by the Conference and which are in consonance with the Shipping Act, 1916, and formal decisions of the Maritime Commission; (b) to increase the admission fee from \$250 to \$1,000; (c) to reduce the notice period of withdrawals from membership from 90 to 60 days; (d) to change the quorum and voting requirements; (e) to include a more complete provision governing breaches of the agreement; and (f) to clarify the language of certain other provisions of the conference agreement. Agreement No. 4630 provides for the establishment and maintenance of uniform rates and conditions for and in connection with the transportation of all

cargo from Pacific Coast ports of the United States and Canada to Pacific Coast ports of Colombia, Ecuador, Peru and Chile.

Agreement 7733, between Stockard Steamship Corporation and Atlantic Ocean Transport Corporation, provides for the establishment and maintenance of a joint cargo service (with limited passenger accommodations) under the trade name Levant Line in the trade between U. S. Atlantic and Canadian ports and ports of Portugal, Spain, France, Italy, Yugoslavia, Albania, Greece, Bulgaria, Rumania, Union of Soviet Socialist Republics, Turkey, Cyprus, Lebanon, Syria, Palestine, Suez, ports of the Red Sea and Persian Gulf, Egypt, Libya, Tunisia, Algeria, Morocco and the various islands in the Mediterranean Sea.

Interested parties may inspect these agreements and obtain copies thereof at the Commission's Office of Regulation, Washington, D. C., and may submit to the Commission within 20 days after publication of this notice written statements with reference to either of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 1, 1949 at Washington, D. C.

By the Commission.

[SEAL] A. J. WILLIAMS,  
Secretary.

[F. R. Doc. 49-9761; Filed, Dec. 6, 1949;  
8:49 a. m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13822, Amdt.]

FLORENCE YAJIMA AND TOKUSURE YAJIMA

In re: Safe deposit box lease and contents owned by Florence Yajima and Tokusure Yajima, also known as T. Yajima and as Tokusuke Yajima.

Vesting Order 13822, dated September 12, 1949, is hereby amended as follows and not otherwise:

By deleting subparagraph 2-b of Vesting Order 13822 and substituting therefor the following subparagraph 2-b:

All property of any nature whatsoever owned by Florence Yajima and Tokusure Yajima, also known as T. Yajima and as Tokusuke Yajima, located in the safe deposit box referred to in subparagraph 2-a hereof, and all rights and interests of said persons evidenced or represented thereby, which includes particularly but is not limited to the following:

(1) Three (3) United States, Series E, Savings Bonds, issued December 1, 1941, said bonds payable to "Mr. Tokusuke Yajima or Mrs. Florence Yajima, 43A 74th Street, Brooklyn, N. Y.", bearing the numbers and in the face amounts listed below:

Numbers:	Face amounts
D-653775-E	\$500.00
C-2921592-E	100.00
C-2921593-E	100.00

together with any and all rights thereunder and thereto.

(2) Four (4) 6% Gold Debenture Bonds of the Oriental Development Company, Ltd., said bonds each of \$1,000.00 face value, numbered M1723, M1722, M8804 and M8798, together with any and all rights thereunder and thereto, and

(3) Cash in the amount of \$400.00 in the following denominations:

Two (2) \$100.00 bills.  
Three (3) \$50.00 bills.  
Five (5) \$10.00 bills.

All other provisions of said Vesting Order 13822 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 17, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Acting Director,  
Office of Alien Property.

[F. R. Doc. 49-9750; Filed, Dec. 5, 1949;  
8:55 a. m.]

[Vesting Order 14047]

MATTHIAS TRAUTMANN

In re: Estate of Matthias Trautmann, deceased. File D-28-1808; E. T. sec. 1084.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emilie Mosinger, Marie Ebert, Barbara Rothaug, Karl Ebert and Wally Ebert, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest, and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Matthias Trautmann, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Charles Trautmann, as administrator, c. t. a. acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having



been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 17, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Acting Director,  
Office of Alien Property.

[F. R. Doc. 49-9786; Filed, Dec. 6, 1949;  
8:56 a. m.]

[Vesting Order 13668, Amdt.]

#### DEUTSCHE-ASIATISCHE BANK

In re: Bank accounts, stock, bonds and bond coupons owned by Deutsche-Asiatische Bank.

Name and address of issuer	Place of incorporation	Registered owner	Type of stock	Certificate number	Number of shares	Par value
Carolina Power & Light Co., 336 Fayetteville St., Raleigh, N. C.	North Carolina	Benson & Co.	Common	TNCO-16608 NYCO-23406	33 8	No par value. Do.
Birmingham Electric Co., 2100 1st Ave., North Birmingham 3, Ala.	Alabama	do.	do.	TNCO-16200	20	Do.
Pennsylvania Power & Light Co., 9th and Hamilton Sts., Allentown, Pa.	Pennsylvania	do.	do.	TNCO-36326	25	Do.

All other provisions of said Vesting Order 13668 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on November 17, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Acting Director,  
Office of Alien Property.

[F. R. Doc. 49-9788; Filed, Dec. 6, 1949;  
8:57 a. m.]

[Vesting Order 14048]

#### JOSEF BERTELE ET AL.

In re: Certificates of Deposit owned by Josef Bertele and others. D-66-2262-D-1, F-28-23622-D-1, F-28-23623-D-1, F-28-23625-D-1, F-28-23626-D-1, F-28-23627-D-1, F-28-23628-D-1.

Vesting Order 13668, dated August 17, 1949, is hereby amended as follows and not otherwise:

a. By deleting from Exhibit A, attached to and by reference made a part of the aforesaid Vesting Order 13668, the certificate numbers "C 588816", "C 588817" and "C 588818" and the words "No par value", set forth with respect to common stock of the United Corporation, and substituting therefor the certificate numbers "C 824899", "C 824900" and "C 824901" and the figures "\$1.00", respectively.

b. By deleting from Exhibit A, attached to and by reference made a part of the aforesaid Vesting Order 13668, the certificate numbers "L 331279", and "L 414408", the figures "40" and "50" and the name "Tucker & Co., 46 William St., New York, N. Y." set forth with respect to ordinary capital stock of Canadian Pac. Ry. Co., and substituting therefor the certificate number "L-473101", the figure "90" and the name "Benson & Co.", respectively, and

c. By adding to Exhibit A, attached to and by reference made a part of the aforesaid Vesting Order 13668, the following:

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are as follows:

#### Name and Address

Josef Bertele, Aberlinstrasse 5, Goppingen, Germany.

Erika Huther, Arnimstr. 141, Stuttgart, Wurttemberg, Germany.

Hedwig Specht, Leopold St. 9, Munchen, Germany.

Wilhelm Sperling, Merseburgerstrasse 10, Berlin-Schoenbegr, Germany.

Max Wehlau, Uhlandstr. 46, Berlin W. 15, Germany.

are residents of Germany and nationals of a designated enemy country (Germany);

2. That Oldenburgische Spar & Leih-Bank, the last known address of which is Oldenburg i. o., Germany, is a corporation, partnership, association or other business organization, organized under

the laws of Germany, and which has or, since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

3. That the property described as follows: All rights and interests evidenced by six (6) Certificates of Deposit for The Chicago, Rock Island & Pacific Railway Company First & Refunding Mortgage 4% Gold Bonds due April 1, 1934, of the aggregate value of \$9,000.00, issued by the Protective Committee for the aforesaid bonds, 70 Broadway, New York, New York, registered in the names of the persons, bearing the numbers and in the amounts as set forth below:

Registered owner	Certificate No.	Face value
Josef Bertele	NM2771	\$1,000
Erika Huther	NM487	1,000
Hedwig Specht	NM2045	1,000
Wilhelm Sperling	NM2433	2,000
Max Wehlau	NB2172	2,000
Oldenburgische Spar & Leih-Bank	NB503	2,000

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Josef Bertele, Erika Huther, Hedwig Specht, Wilhelm Sperling, Max Wehlau and Oldenburgische Spar & Leih-Bank, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 17, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Acting Director,  
Office of Alien Property.

[F. R. Doc. 49-9787; Filed, Dec. 6, 1949;  
8:57 a. m.]